

R E P O R T

OF THE

P R O C E E D I N G S

OF THE

CALCUTTA TRADE ASSOCIATION.

FROM ITS FOUNDATION IN 1830, TO DECEMBER 1850.

WITH APPENDIX.

PRESENTED TO THE MEMBERS BY THE COMMITTEE.

PRINTED FOR THE ASSOCIATION

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To

THE MEMBERS OF THE
CALCUTTA TRADE ASSOCIATION.

GENTLEMEN:

Your Committee have the pleasure to wait on you with the following account of the proceedings of the ~~CALCUTTA TRADE ASSOCIATION~~, from its establishment in 1830 to the end of 1850, and they trust that it will, in some measure, compensate for the absence of the quarterly reports which were formerly submitted to you.

Considerable difficulty has been experienced in compressing within reasonable limits an account of transactions embracing such a variety of subjects,—most of them of considerable public importance, and all of them possessing great interest to the trading community of Calcutta,—extending over a period of more than twenty years.

This report is necessarily brief; but your Committee have thought fit to add, in an Appendix, copies of the principal papers having reference to the matters therein mentioned, which are so arranged that Members desirous of fuller information than is contained in the report itself, may at once see all that has passed on the subject in question, from the time of its first coming before the Association to that of its final disposal.

Your Committee trust that this history of the Association will prove that it has attained the objects sought by its founders, and that it affords grounds for anticipating a future of increasing usefulness to the trading community as well as to the public at large.

We are, Gentlemen,

Your very faithful servants,

W. SPINK, *Master*,

For the Committee of the Trade Association.

Calcutta, 1st Sept. 1852.

J. McFarlane	Harness Maker.
W. Nicholl.....	Ranken and Co.
H. McKellar	Gibson and Co.
T. P. Palmer	T. P. Palmer & Co.
A. Rogers	Hamilton and Co.
D. Mills	Watch Maker.
W. H. Twentyman	Twentyman & Co.
Q. Waller	Hartley and Co.
A. Lawrie	Watts and Co.
E. Gray	Watch Maker.
T. Ostell	T. Ostell and Co.
G. Parbury	W. Thacker and Co.
R. S. Thomson	R. S. Thomson and Co.
G. Jessop	Jessop and Co.
C. S. Hadow	Leyburn and Co.
J. W. Duncan	McKenzie, Lyall & Co.
Jas. Coull	Tulloh and Co.

Mr. C. S. Hadow having been called to the Chair, read to the meeting the resolutions passed at the former one, upon which the second meeting was founded. And having stated that a general meeting had been called in the hope of finding some at least amongst so numerous a body who would be able to throw out valuable suggestions respecting the nature and conduct of such a Society or Association as it was deemed expedient to form, cordially invited such a line of conduct from each party present.

Mr. Duncan mentioned that the name of Mr. Samuel Smith had been omitted in the circular by which this meeting had been convened, which he regretted, as he considered that that gentleman would prove both a zealous and able participator in the labour of framing such an Association as seemed to be desirable.

The Chairman also expressed his regret at the circumstance, which he stated was purely accidental, but begged to remind the gentlemen present, that, at the former meeting,

it was distinctly understood that upon the circular being handed to any one to whom it was addressed, he would be aiding the cause by attaching the name of any firm which might previously have been omitted.

The subject having thus been brought forward, the Chairman thought it incumbent upon him to say, that Mr. Elliott, the Reporter of the *Hurkaru*, had been at the office about the hour appointed for the meeting, and that he (Mr. Hadow) intimated to him that his attendance could be dispensed with, as the object of the meeting was of a private nature; but that, should any thing arise which the meeting were desirous should become matter of publicity, he (Mr. Hadow) would undertake to report it to Mr. Elliott. Something was then said about Mr. Elliott not having come as the Reporter of the *Hurkaru*, but as the representative of Messrs. Samuel Smith & Co., this, however, was said in so low a tone of voice as not to attract general attention.

Mr. W. H. Twentyman presented to the meeting a paper drawn out at considerable length, conveying his sentiments upon the object of the meeting and regulations, which should be adhered to by the proposed Association. The paper was read by the Chairman for the information of those present.

Proposed by Mr. John Hastie and seconded by Mr. Jessop,—“That the paper from Mr. W. H. Twentyman be submitted for the consideration and approval of such Committee as may be hereafter formed.”

Mr. R. S. Thomson rose, and, after stating that he was unprepared with any specific proposition, intimated that he thought the present a fit occasion for bringing to the consideration of the meeting the practicability of extending the utility of the Society beyond the mere protection of property; that he was desirous of higher objects, and wished to see an Association which would establish a fund for the benefit of the widows and children of deceased Tradesmen,

and the assistance and support of decayed members. Mr. Thomson then placed a paper containing his sentiments upon the subject, in the hands of the Chairman, and proposed that a Committee consisting of not less than 12 members should be *formed, for the purpose of taking this and the opinion of other members on the subject of the Association into their consideration, and that such Committee should, at a future general meeting, report their opinion.*

The motion of Mr. Thomson, seconded by Mr. Jessop, having been put to the meeting, was carried.

Proposed by the Chairman, and carried unanimously, "That the following Gentlemen be requested to form themselves into a Committee for the consideration of such propositions as have been, or may hereafter be made, upon the nature and conduct of the Association, viz.

"Messrs. Geo. Jessop, R. S. Thomson, W. H. Twentyman, J. Coull, J. W. Duncan, F. H. Burkinyoung, H. McKellar, W. T. Gibbon, Geo. Parbury, Geo. Shearwood, Jno. Hastie, Samuel Smith, and C. S. Hadow."

The following Saturday having been determined on for the first meeting of the Committee to take place, it was proposed by Mr. M. Collier, and seconded by Mr. F. H. Burkinyoung, "That each member consider himself personally invited to send to the Committee any suggestions on the subject of the proposed Association which he may think advisable, and that these be sent in before Saturday the 19th instant."

Proposed by Mr. Jessop and seconded by Mr. A. Rogers, "That the thanks of the meeting be voted to Messrs. W. A. Twentyman and R. S. Thomson for the suggestions handed in by them, and the meeting entertains the hope that many other members will be induced, previous to Saturday next, to follow their good example."

Proposed by Mr. R. Dykes, and seconded by Mr. R. S. Thomson, "That the thanks of this meeting be voted to Charles

Scott Hadow for his able conduct in the Chair, and for the good will he has evinced towards the object in view in permitting the meeting to be held here."

Proposed by the Chairman and seconded by Mr. Jessop, "That the meeting are of opinion that nothing which takes place at these meetings, at all events until the proposed Association is fairly organized, should be made a matter of publicity."

The meeting adjourned about 5 p. m.

C I R C U L A R

Issued by the Provisional Committee.

"At a General meeting of the Tradesmen of the town of Calcutta, held at the office of Messrs. Leyburn and Co., on Saturday the 12th instant, a Committee of 13 members was appointed to take into consideration certain propositions for the formation of a Society for their general benefit, and to frame therefrom some plan for carrying into effect the object of those propositions.

"The Committee having to the best of their ability performed the duties entrusted to them, beg to invite your attendance at a General Meeting to be held at the Exchange rooms, on Monday next the 5th of July, at the hour of 9 A. M. when the prospectus and propositions which they have prepared will be submitted to the consideration of the meeting, and, if approved, the Association will at once be formed and commence its operations as speedily as practicable.

"It being particularly desirable that the meeting now convened should be as general as possible, each establishment is requested to send at last one member, and to assist in making it generally known that all Tradesmen are invited to attend, whether personally addressed or not."

Pursuant to the above circular and the public advertisements, about two hundred persons assembled at the Exchange

rooms, at 9 A. M. on the 5th of July, 1830. When the following proceedings took place.

Mr. Samuel Smith being called to the chair, addressed the meeting to the following effect:—

“GENTLEMEN,—I feel as I ought to do, the honor you have done me, in calling upon me to preside over this numerous and respectable meeting. I could have wished, however, that you had selected some person better fitted than myself to explain the objects of the meeting, and to represent the *wealth and talent* here assembled; but, as your choice has *fallen on me*, I shall endeavour, to the best of my ability, properly to discharge the onerous duties that belong to the Chair. In so doing, I hope for your indulgence and support,—your indulgence, if I should be found wanting, as I fear I shall be, in the duty of Chairman of a public meeting, which I am now for the first time called upon to perform; and your support, should you perceive any approach to disorder and confusion, which would reflect disgrace upon us and the objects we are assembled to discuss; while good order, and good feeling, will advance our cause, and be creditable to us all, collectively and individually: but I have little fear on this subject, for I do not anticipate any confusion, and having called me to fill this chair, I am sure you will view my efforts with indulgence, and support me if necessary in the execution of my duty.

“I shall not waste your time, which I know is valuable, by any useless expenditure of words, nor by any vain attempts at fine speaking. I have not the gift, and if I had, I would not exercise it on this occasion. I shall, as I think you will desire that I should, proceed at once in a brief and business like way to explain the origin and the objects of the Association we are here assembled to establish.

“The case of a Subaltern of the Bengal Army who has lately obtained the benefit of the Insolvent Act, occasioned several meetings amongst the principal tradesmen of

Calcutta, who, at a general meeting, appointed a provisional Committee to take into consideration certain suggestions, which had been made for the general benefit of the tradesmen of Calcutta. The Committee having fulfilled the duties entrusted to it, is now desirous to lay the result of its labors before this meeting, in the shape of proposed resolutions, which the members consider the best method of accomplishing the desired object.

“ Although the case I have alluded to, may be considered as the *immediate* cause, still the great *progressive* cause which has led to this meeting, and which must sooner or later have had a similar result, is the system of indiscriminate, almost unlimited credit, which has for many years obtained in this country, to the serious injury of the honest tradesman, and to the manifest disadvantage of that portion of the public who have been in the habit of paying for what they purchase.

“ At the time when that indiscriminate and almost unlimited credit of which we complain, first obtained, the European population was small and wealthy; tradesmen were few and well supported; their profits were large; their bills were paid sooner or later with good interest; and, if occasionally gentlemen in the Honourable Company’s Civil or Military service did in the course of years contract debts to a larger amount than they were able to pay, they could, when their creditors became clamorous, always apply with success to their agents, when the matter was forthwith adjusted to the satisfaction of all parties.

“ But the times are sadly altered. Gentlemen in and out of the service, have still continued to obtain the usual credit, but they have not their former means. Almost all the allowances in the Civil Service have been greatly reduced. Half batta has been introduced into the Army; money has become scarce; the Agents are not now, as formerly, ready to become peace-makers between debtors and creditors, and

the consequence is, that debtors cannot pay as they used to do. The Insolvent Court relieves those who apply to it, and creditors have but a choice of difficulties: they must quietly lose their money, or adopt legal measures, neither of which steps are advisable or agreeable. I know of no course to recommend but that they join us in establishing an Association for the purpose of protecting ourselves from continued losses and ultimate ruin.

“ We must suit our terms of business to the times we live in. We must understand with whom it is safe to deal, and endeavour to adopt measures for the realization of the outstandings due to us.

“ These outstandings are not of small amount: the total of ten establishments, who have handed in memorandums, amount to no less a sum than about 50 laks of rupees; this sum does not include several of the largest establishments, amongst which are the three auction houses, and I am led to believe that the total amount of debts due to the tradesmen of Calcutta, is not less than a crore of rupees, or a million of English money!

“ I have now, I hope, intelligibly explained the origin and nature of the proposed Association; its objects will be more distinctly stated in several resolutions which will be submitted to the consideration of this meeting. These resolutions will also give an outline, sufficient to enable the Committee to draw up a code of regulations, for the future management of the Association.

“ I shall delay you no longer than to suggest, that if good order and proper feeling be maintained, as I have no doubt they will, we shall get through much business in an hour, and be able to return to our respective occupations without having occasioned or suffered any inconvenience by our attendance here. With this view I beg to suggest, that any tradesman present who is desirous to make any proposition, will do so in writing, and hand it Mr. Hadow,

who has kindly undertaken the office of Honorary Secretary for this occasion, and he will be called upon to speak in support of his proposition in due course.

“ Any person desirous to address the meeting on the general question of the advantage or propriety of our proceeding to establish the proposed Association, agreeably to the circular, and the advertisement which has appeared in all the Calcutta papers, will have an opportunity of doing so when the first resolution is proposed, which embraces that subject.

“ I have but one more observation to make. It has been asked, Why, in our circular, we have only invited “ Tradesmen,” by which it has been suggested, is generally understood shopkeepers or retail dealers ? The provisional Committee who approved and issued that circular, did not so understand the term: they considered that all who bought and sold were tradesmen; merchants were tradesmen, wholesale it is true, but still tradesmen; artists they considered also as tradesmen. Artists buy materials, add thereto their talent and labor, and the produce is sold: they considered, in short, as tradesmen, every man connected in any way with trade, and thought they were using the most comprehensive term the English language afforded. It was their object to do so, and I am therefore, desirous to explain, that we consider all persons embraced within the fullest acceptation of the term, to be eligible as members of the proposed Association, and to be entitled to speak and vote at this meeting.

“ If there be any other point that requires explanation, I shall be happy to afford it to the best of my information, and where that is deficient, the gentlemen who form the provisional Committee will, I am sure, assist me.”

The information afforded by the Chairman being considered sufficiently full and clear, he concluded by moving:

Resolution 1st.—“ That an Association be forthwith formed

to be denominated the "Calcutta Trade Association," and that its objects are as follows:—

1stly. "To encourage the adoption of the system of ready money payment, which prevails in all other parts of the world, and which enables the tradesman to sell at lower rates than those of Calcutta can afford to do from the prevalence of the ruinous system of indiscriminate credit, which has obtained for many years, to the serious injury of the tradesman, and to the manifest disadvantage of the public.

2ndly. "To define the terms of credit when credit is allowed, and to prescribe measures calculated to ensure payment, and guard against future loss, where the terms of that credit are violated."

3rdly. "To encourage a friendly communication amongst persons engaged in business in Calcutta, especially on subjects involving their common interests; an object which appears hitherto to have been neglected."

The above motion being seconded by Mr. W. H. Twentyman, the Chairman asked if any persons present wished to address themselves on the motion before the meeting, as he should be happy to hear any suggestions or improvements that might be offered, and to be guided entirely by the sense of the meeting.

No person appearing to object, the resolution was put, and carried unanimously.

Mr. Hadow then rose, and addressed the meeting to the following effect:—

"In rising to propose to you, Gentlemen, the second resolution, I shall not detain you by any observations, as it must be unnecessary for me to give my sentiments, after the Chairman has so ably and so clearly explained to you the immediate objects of the Association. I consider the great object in the formation of such an Association, will be to make it as general as possible, and I therefore beg to propose:—

Resolution II. "That it do consist of an unlimited number of Merchants, Tradesmen, Artists and others who may be disposed to aid in the accomplishment of the objects of this Association."

This Resolution being seconded by Mr. F. H. Burkinyoung, was carried unanimously.

Mr. John Hastie said that in order to carry the objects of the Association more fully into effect, he should propose,

Resolution III. "That the affairs of the Association be managed by a Committee consisting of a President and thirteen members, including a Treasurer and Secretary, to be elected annually, any five to form a quorum."

This resolution was seconded by Mr. Rogers, and carried unanimously.

Mr. W. F. Gibbon proposed that the following gentlemen be elected to form a Committee for the ensuing year.

[Mr. Gibbon here read a list which was seconded by Mr. A. Pittar, but which was amended at the suggestion of Mr. Parker, and the following Committee was appointed.]

Messrs. S. Smith, C. S. Hadow, R. S. Thompson, W. H. Twentyman, Geo. Jessop, H. McKellar, F. H. Burkinyoung, D. Mills, A. Rogers, G. Shearwood, John Hastie, John McFarlane, George Parbury and J. P. Parker.

Mr. R. S. Thomson next rose and spoke nearly to the following effect:—"Gentlemen, there is no point more important, or that will tend more to increase the stability of the Association than a judicious selection of one who has the will as well as the ability to preside over your meetings for the first season of its operation. I am aware of the difficulties under which a man labours who has the helm to guide of an infant Society such as the present. The channels of its usefulness are yet unopened to us: the good to be derived from thus uniting yourselves together cannot be ascertained without putting in practice those resolutions which have been submitted for your approval, and I have not the least doubt

but the judgment and discrimination of the gentleman I am about to propose as your President, connected with the zeal of a well selected Committee, will realize all the objects of the Association to its fullest extent, and to the satisfaction of those who may become its members. It has been the wish of the Committee to confine or limit the objects of the Association within such bounds as are unlikely to retard its progress or destroy its permanency. That it has been much wanted in Calcutta amongst the Merchants and Tradesmen must be obvious to you all; and, when the good effects of its operation begin to be realized, you will then wonder at the apathy and unsociableness which have supervened and kept you so long strangers to each other, except in name. One would think the utility and prosperity of such societies, which exist every where else, would long ago have acted as a spur to the citizens of Calcutta, not to be held up to the world as a solitary exception. Public spirit seems to have been extinct; or, if it has ever had an existence in this city of Palaces, selfish motives or private interests have always been at hand to crush it in the bud. It is true we are but sojourners in a land which was once known to be flowing with milk and honey, but those days are gone by, I am sorry to say, and they may consider themselves lucky indeed, who can gather sufficient of the cream of the one, or the sweets of the other (to continue the figurative expression) to enable them to leave it with any degree of comfort or independence. It therefore becomes the more necessary to guard against losses in trade, as much as possible, by more friendly intercourse amongst ourselves, and to establish a fund for the purpose of carrying that into execution, is what I understand to be the principal object of the Association; the details must be left to a Committee in whose judgment the members can place unlimited confidence; and I most strenuously recommend that the details may be so framed as not to clog the infant Society with too many purposes to accomplish. For this reason

I have declined at present bringing to the notice of the meeting my wish for extending its usefulness beyond the scope of the present resolution ; at some future period I may press it when the Association may be able to assume a more important aspect, stand on higher ground, and in a situation which will give it stronger claims on your assistance and support.

“ Mr. Smith has, with much clearness and perspicuity, shewn to you what benefits may be derived from an Association so formed, which has for its object the public good as well as your private advantage. From Mr. Smith’s general knowledge of the mode of conducting such Societies ; the means he possesses of obtaining the best information, and his well known zeal on behalf of every thing he undertakes, I consider the duties of Chairman to this Association could not light on better shoulders, and I feel persuaded, that his unwearied application to its best interests will not be wanting to realize, fully, our most sanguine expectations. I, therefore, move :

Resolution V.—“ That Mr. Samuel Smith be requested to undertake the duties of President of this Association.”

This Resolution having been seconded by Mr. Hadow, Mr. Smith called upon the meeting to reflect well before they appointed him to fill the important office of President of the Association, and to consider maturely if they could not appoint one more fully qualified to fulfil its duties ; but the meeting appearing to desire his acceptance of the office, the resolution was put by the mover and carried unanimously.

Mr. Smith expressed himself much gratified with this fresh instance of the confidence which the meeting reposed in him, and pledged himself not to be wanting in zeal for the cause ;—but he feared that the Tradesmen of Calcutta would be disappointed in the high expectations which they appeared to entertain of him, and if they were so, they must not blame him, but themselves, as he had confessed his deficiencies and solicited them to amend their nomination. As they

had, however, elected him, he hoped they would afford him the aid of the indefatigable exertions of Mr. Hadow, who was one of the first and most zealous promoters of the Association, and who, he thought, would have made a much better Chairman than himself. He begged permission to propose —

Resolution VI.—“That Mr. C. S. Hadow be requested to undertake the duties of Treasurer and Honorary Secretary to the Association.”

This Resolution was seconded by Mr. R. S. Thompson and carried unanimously.

Mr. H. McKellar next moved the following Resolution, which was seconded by Mr. W. H. Twentyman and carried unanimously.

Resolution VII.—“That an Assistant Secretary with such office establishment as to the Committee may seem requisite be allowed to the Treasurer and Secretary from the funds of the Society.”

Mr. George Jessop begged to propose the next Resolution, which was seconded by Mr. G. Parbury.

Resolution VIII.—“That each individual or firm becoming a member of the Association, do pay the sum of *fifty* sicca rupees into the hands of the Treasurer, as a donation towards forming a fund for the use of the Society.”

Mr. Finlay thought such a resolution was premature before the meeting could know what the expenses were likely to be, and he would move as an amendment :

“That on an estimate of the necessary expenses being furnished, the members of the Association be called upon to pay their equal shares.”

Mr. Hadow reminded Mr. Finlay, that such would be in opposition to one of the principal objects of the Association, viz. the adoption of a system of ready money payments.

The amendment was not seconded.

Some gentlemen appearing to think the subscription

should be brought within the means of all classes of traders, Mr. W. H. Twentyman proposed, "That, instead of a fixed sum of *fifty rupees*, the donation upon admittance to the Society, the sum be left to the discretion of the party wishing to become a member.

This amendment having been seconded by Mr. Jacobs, was put to the vote, but lost by a considerable majority.

The original motion was then put and carried.

Mr. G. Parbury said that as the meeting had disposed of the last question, he would beg to propose the next Resolution, which was seconded by Mr. P. Palmer, and carried unanimously :

Resolution IX.—"That a monthly subscription of *six* sicca rupees towards the aforesaid funds be levied from each member, to be paid on presentation of a receipt signed by the Treasurer and Secretary."

Mr. W. H. Twentyman proposed the next resolution, which was to the following effect:

Resolution X.—"That the meetings of the Committee be held as frequently as to the members may seem requisite for the welfare of the Association."

This Resolution was seconded by Mr. Jacobs, and carried unanimously.

Mr. A. Rogers proposed

Resolution XI.—"That the Committee be requested to form a Sub-Committee, consisting of as many members as to them may seem adequate for the purpose of framing a code of regulations for the government of the Association, founded upon the propositions carried at the present meeting."

The above Resolution was seconded by Mr. Twentyman and unanimously adopted.

Mr. Hadow proposed

Resolution XII.—"That the Committee be authorised, upon application from an individual or firm, properly proposed and seconded, to proceed to ballot for his admission to the

Association, and that if elected, such party shall be considered a member."

This was seconded by Mr. John Hastie and unanimously carried. Mr. Twentyman proposed

Resolution XIII.—"That a quarterly general meeting be held on the first Monday of January, April, July and October, when a report of the progress of the Society, together with a statement of its funds, will be submitted for the information of the members.

Mr. W. Turner seconded this resolution, which was carried unanimously.

Mr. Burkinyoung said he had a resolution to propose, without which, he considered, there would be no Association at all, and it was

Resolution XIV.—"That all persons present who desire to become members of this Association, do forthwith enter their names as such in a book provided for the purpose, which will remain open at the office of the secretary for the reception of names to the end of the present week, and that no one whose name is not entered previous to six o'clock on the evening of Saturday next, the 10th July, can be admitted without ballot."

The above Resolution was seconded by Mr. Allardice and carried unanimously.

It was next proposed by Mr. George Parbury and seconded by Mr. R. S. Thompson :

Resolution. XV.—"That the thanks of this Meeting be voted to Messrs. Mackenzie, Lyall and Co. for having most obligingly allowed the meeting to be held in their rooms."—Carried unanimously.

It was next moved by Mr. R. S. Thomson and seconded by Mr. Twentyman :

Resolution XVI.—"That Mr. C. S. Hadow is entitled to the thanks of this meeting for his kindness in undertaking the duties of Secretary and for the great zeal he has

evinced in the establishment of the 'Calcutta Trade Association.'"

The Chairman having dismissed the meeting, it was proposed by Mr. Dykes, seconded by Mr. Rogers, and carried unanimously:

Resolution XVII.—"That the thanks of this meeting be given to Mr. S. Smith for his able conduct in the Chair."

The first meeting of the Committee appointed at this public meeting was held at the house of Mr. S. Smith, the President, at 8 a. m. of the 17th July, and the first object of the Committee was to draw up a code of regulations and appoint officers. The officers appointed in addition to those elected at the public meeting, were Longueville Clarke, Esq. Standing Counsel; W. Smith, Esq., Solicitor; Mr. G. H. Pool, Assistant Secretary and Agent for the recovery of debts, subject to the jurisdiction of the Petty Court.

Mr. C. S. Hadow and Mr. R. Scott Thomson were appointed a Sub-Committee to draw up a code of rules.

The rules prepared by this Sub-Committee were approved Appendix 1 to 15. by the General Committee on the 21st August,

1830: submitted to the Counsel of the Association; and, by the assent of a general meeting held at the office of Messrs. Leyburn and Co., on the 23rd August, 1830, were made the rules of the Association. They were printed, together with the rules for the reading room and the regulations for the Savings' Bank in 1832, and were revised in 1836.

The Trade Association being now fairly established, the Committee at once turned their attention to the objects for which it was instituted, and in order that no misapprehension should arise in relation to it, an explanatory letter was sent to the principal members of the Civil and Military services, as well as to all the principal Merchants and Agents in India, soliciting their approval and support.

The Patronage of the Right Hon. Lord William Bentick, Governor General of India, and of the Judges of the Supreme Court was then solicited, that of the Governor General was readily granted, but the Judges for official reasons declined; in so doing however, they expressed their high approval of the objects of the Association.

The Association at various periods, endeavoured to obtain Mofussil Agents, but in consequence of an impression on the minds of Mofussil Tradesmen, that it would materially injure their interests, they, with one exception, declined the office.

Various means have been adopted by your Committee for the purpose of obtaining a correct list of arrivals at, and departures from Calcutta, both Inland and Seaward, and as various have been the obstructions to the perfect accomplishment of this object.

The first Quarterly meeting of the Association was held at the house of Mr. S. Smith on the 4th of October, 1830, at which meeting it was determined that the General Meetings should take place every month. [Both quarterly and monthly General Meetings, have fallen into disuse, owing to the non-attendance of members, arising, in some measure, out of the difficulty in fixing a time convenient to all, and in order to determine which, the hour of meeting has undergone frequent changes, and has resulted in a return to the original plan of meeting every Saturday morning at 9 o'clock.]

At the General Meeting of the 1st of November 1830, it was concluded that in respect of the objects as laid down in the proceedings of the 5th of July 1830, all that could be done had been accomplished; the advantages derived by the public and the trade from the establishment of the Association became manifest by the check which it gave to indiscriminate credit.

The 3rd object of the Association, that of encouraging a

friendly intercourse amongst persons engaged in business has been successfully accomplished: your Committee are happy to state, that the erroneous views which existed for some time after the establishment of the Association 20 years ago, and which necessarily exercised some prejudicial influence, have gradually yielded to more liberal sentiments and feelings, and it is hoped that the time is not far distant when the Trade Association will include amongst its members every Tradesman in Calcutta.

The members of the Association have been very fluctuating, a circumstance principally attributable to the fact that they are, with few exceptions, persons who are only sojourners in this land.

The first question that engaged the attention of the Association, as particularly concerning its members, Appendix C. pp. 27 to 45. was that of Military Courts of Award: these Courts were long a source of annoyance and disappointment; the want of strictly defined and equitable Rules, was the cause of the rejection of a vast amount of just claims, and the revised Rules published in 1847-48, although they place the creditor in a somewhat better position, do not exactly meet all that is requisite.

The Association throughout the period of its existence, has never lost sight of the objects for which it was primarily established, and every successive committee has endeavoured to devise means for the better securing the interests of the Tradesmen. A defect still exists however in the non-adoption of those wholesome Rules which prevail in Crown Colonies of Public Notice regarding the departure of persons, and which being withheld from India, occasions a considerable amount of loss to the members of the Association.

The Association has from its commencement, steadily kept in view the importance of attending to objects having for their result the general benefit of the Public.

The Association directed its attention in November 1830, to the adoption of measures by which the number of applications of Private and Public Charity might be diminished, and as one means, endeavoured to establish a Savings' Bank. Rules were prepared and the names of a few contributors were registered; the general disposition however of the great majority of persons to live up to the full extent of their income, prevented that support necessary to the accomplishment of the undertaking; but the government having in 1833 established a Savings' Bank, rendered any further effort on the part of the Association unnecessary; and as the object which the Association had in view was accomplished in the most satisfactory way, they have only to rejoice that they were the pioneers of so admirable an institution.

Another means by which they hoped to diminish the call on Private and Public Charity, was the establishment of a Widows' Fund, but the same baneful influences, which impeded the working of the Savings' Bank operated against it also; and after many fruitless efforts it was abandoned, in the hope that a time would arrive, when the poor and middling classes of the community would better understand their own interests.

The circumstances under which many persons had applied for the benefit of the Insolvent Act, induced the Association to try and devise some means, by which such characters might be generally and effectually opposed. The expenses involved in an opposition were formerly extremely heavy, and the result in the majority of cases, any thing but such as was calculated to produce the warning desired, the Association therefore instructed their counsel, through their attorney, to prepare a Memorial to the Commissioner of the Insolvent Court on the subject of mitigated costs of opposition; the new Insolvent Act has provided for the payment of these costs out of the Insolvent's estate, unless such opposition shall be proved to be frivolous and

vexatious, and creditors now have an excellent means of checking dishonesty, if they look after their debtors.

Several propositions have been made to remodel the Association, in order to bring it more within the sphere of the public, but the members generally were averse to depart so far from the original purposes for which the Association was established, or to alter its laws and regulations so as to fit it for the general resort of the public as members, nevertheless as a body, they have always and at all times entertained subjects of general benefit to the public. There was an apprehension, that by widening the sphere of the Association in its constitution, the purposes for which it was established would be lost sight of: this impression, whether well founded or not, has no doubt been the cause of the Association not having advanced to that position which it otherwise might have attained.

The head officer of the Association was up to February 1831 designated President, but it was then considered that Master would be more in unison with the practice which obtained in similar bodies in Europe, and was consequently adopted: the first President of the Association was Mr. S. Smith, Proprietor and Editor of the Hurkura Newspaper, and in 1850, out of respect to him as the original President and first Master of the Association, he was unanimously requested to accept the office of Permanent President of the Association, with functions not interfering with the duties of the Master; some addition was made to the Regulations and Bye Laws of the Association to meet this appointment.

When the Association was first established, the members were divided into grades of Senior Masters, Junior Masters, Fellows, Foremen and Apprentices, with a scale of contributions. Those who were elected to be Senior Masters paid 10 Rupees per month, Junior Master 8 Rupees per month, Fellows 6 Rupees per month, Foremen 4 Rupees per month;

but in December 1831, all these distinctions were abolished, and on the 24th of March 1832 the subscription was fixed at six Rupees per month: it was reduced in 1842 to three Rupees per month, in the hope that this would induce more Tradesmen to join the Association, but it had not the desired effect, and the income of the Association falling short of the expenditure, the subscription was raised to five Rupees per month in 1847, at which rate it continues to this day.

In 1831 a Corresponding Committee was established in London, composed of members of the Association, who had retired from India, and during Mr. Alexander Rogers' residence in England, some good was effected by it: it existed in co-operation with the Association from 1836 to 1840. Retired members are now the occasional correspondents with the Association.

The third object of the Association was considered to have been violated by one of the members in November 1831, and the subject was laid before the Association, but the existing state of the Law and the practice of Police Magistrates, when legislating between Master and Workmen, presented so many difficulties, that no satisfactory result could be arrived at: but this important subject has ever since engaged the occasional attention of the Association, and a Draft Act for Master and Workmen was submitted with a Memorial to the Government of Bengal on Appendix AA. the 31st January 1846, but without effecting pp. 286 to 293. any beneficial alteration.

The library and reading rooms were for some considerable time kept up, and considerable efforts were made to continue them, but they were finally discontinued in May, 1840; considerable purchases of Books were made and some valuable presentations received: amongst the latter there was presented by

S. Smith. The Calcutta Magazine from its commencement to date, 7 Vols.

C. S. Hadow. Plan of the town of Madras, Map of the

Burmese Empire, Genealogical Chart of the Kings and Queens of England.

A. Rogers. A Map of India.

R. S. Thomson. A Map of Edinburgh.

D. Mills. Map of the Orkneys and West of Scotland.

Dr. Bowring, by his Agents. A complete series of the Westminster Review.

J. P. Parker. Map of England, Park's Chemical Chatechism, Notices relative to China and some Pamphlets.

S. Smith. A silver Seal elegantly engraved.

Jas. Prinsep. Copy of his Useful Tables.

Dr. Bowring. A complete copy of Jeremy Bentham's Works.

Secy. Board of Customs—Transit Duties.

Purchased. Piggot's Directory, 4 Vols.

J. Muller. Copy of his Indian Tables.

Mr. Crawford. Copy of Scotch Magazine on Indian Affairs.

Steam Committee. Dr. Lardner's Work on Steam Navigation between India and England.

Dr. Wallich. 10 Copies Mr. Bruce's Account of the Manufacture of Black Tea in Assam.

Mr. Hamerton. Copy of Nicholls' Tradesman's Assistant.

Govt. of Bengal. Copy of Fever Hospital and Municipal Committee's Report.

The state of the Government Banghy and Post Office engaged the attention of the Association, and Appendix D. 46 to 68. a Memorial was forwarded to Government on the subject in April 1832, which was signed by all the Merchants and Agents of Calcutta. A reply was received to this on the 2nd June 1832, from the Secretary to the Gov. General, requesting that the Memorial might be sent in the first instance for the consideration of the Honble. the Vice-Presidents in Council. On the 7th August a reply was received from the Secretary to Govt. General Department, declining to grant the prayer: on the 23rd May 1835 an application was made to the Post Office Commissioners

on the same subject: in August and October 1849, and July, August and September 1850, postal reform was discussed, and a Sub-Committee appointed to take the subject into consideration: the report of this Committee was forwarded to the Commissioner for Post Office enquiry on the 16th September 1850.

In September 1832, the Court of Requests, as to its manner of conducting business and the extension of its jurisdiction was brought under discussion, ^{Appendix E. 68 to 83.} but it was not until November 1838, that any thing was definitely settled, and in December of the same year, a memorial was sent in to the Government of Bengal. In January 1844 the subject was again agitated, and a letter forwarded, praying a reduction in the number of holidays, which was granted. In January 1845, another memorial was forwarded to the Government of Bengal, praying an extension of the Jurisdiction of the Court, and in April 1847, draft copies of a new Act for the establishment of the Small Cause Court were received from Government, which commanded the serious consideration of the Committee of the Association. In March 1848, a letter was addressed to the Commissioners of the Petty Court, and on the 8th April 1848 a memorial was sent in to Government: a reply was solicited in September, and was received in December, informing the Association that the question had been referred to the Court of Directors. In October 1849, a furthur reply was received from Govt. on the subject, and the Small Cause Court Act made its appearance.

In March 1833 the Association entertained a proposition from Mr. Murray for the establishment of an office for the Registry of domestic servants, but for want of support from the Public it was not established.

In July 1833 the Association subscribed 1,150 Rupees ^{Appendix F. 84 to 94.} to the Steam Fund for communication with England: this was irrespective of individual

subscriptions, several members having taken a great number of shares: in January 1844 petitions were sent to the Board of Control, the Court of Directors, the Governor General of India, and the Deputy Governor of Bengal, on the subject.

Various propositions were received in 1833, for the establishment of a River Insurance Company, but the committee considered it advisable that the Association decline proprietorship.

In November 1833, a memorial praying for greater facility in making remittances from the Mofussil was prepared and discussed, and in Appendix G. pp. 95 to 98. March 1835 was forwarded to Government: a reply was received declining to afford greater facility than was then available.

On 22d February 1834, a letter was received from the Master Attendant requesting the opinion of the Association as to the usefulness of the semaphores, and a reply was sent strongly advocating their continuance.

In March 1834 the Committee received from David Macfarlane Esq. Chief Magistrate of Calcutta, a pamphlet on the Conservancy of Calcutta, Appendix H. p. 98 to 169. which immediately engaged the serious attention of the Association, and in April following a letter of thanks was forwarded to that gentleman. On the 12th of April Messrs. Kyd; Thacker; F. Burkinyoung; Jessop; J. P. Parker; S. Smith; and the officers of the Association, were appointed a Sub-Committee for the purpose of considering, and reporting on the subject.

It does not however appear that the appointment of this Committee resulted in any thing satisfactory. In 1835 a Municipal and Fever Hospital Committee was appointed by Government, and Mr. R. S. Thomson, the Senior Warden of the Association, and A. Rogers, Past Master, were appointed members.

In April 1837, a letter was addressed by the Municipal Committee to the Association for a Plan of Municipal Government. In May and June letters were addressed to the Secretary, Municipal Committee, with a statement on Municipal affairs; and in June following a resolution was passed to the effect, that the members do devote a portion of their time to the fulfilment of any public duties which they might be called upon to perform in connection with the Municipal Government of the Town of Calcutta.

In April 1840, the presentation of a Memorial to Government on municipal affairs was discussed.

In June 1840, a Pamphlet on Municipal affairs was received from Mr. D. Macfarlane, Chief Magistrate, and on the 27th June 1840, a Select Committee, consisting of Messrs. S. Smith, R. S. Thomson, J. M. Vos, R. J. Lattey, R. C. Lepage, H. Woolaston, W. J. Twentyman, and the officers of the Association ex-officio, was appointed to report on it.

The Committee continued till April 1841, during which period considerable correspondence took place, and to the Draft Municipal Act No. XXIV. of 1840 the Association took objections.

In November 1846, a letter was received from the Secretary to Government, forwarding Draft Acts for the opinion and remarks of the Association, to which a reply was forwarded in December following. The Committee engaged in the preparation of a Scheme to be submitted to the meeting at the Town Hall convened by the Sheriff in October 1847, and a letter was forwarded to Government in November, with the Scheme appended. In September 1849, a Memorial was submitted to Government, pointing out the difficulties attending the carriage-tax, and praying its repeal, and in lieu thereof recommending that the Assessment be raised from 5, to 6 or $7\frac{1}{2}$ per cent.

In March 1850 a Special Committee was appointed, consisting of Messrs. C. J. Pittar, S. Smith, H. Burkinyoung,

R. C. Lepage, and J. Muller, for the purpose of preparing a Memorial to the Governor General on the subject, and for arranging preliminaries for waiting on His Lordship by Deputation, with a Plan of a Town Council, and a scheme for raising funds for carrying out the recommendation of the Municipal Committee of 1835, for the better drainage of Calcutta, either on the Plan of Colonel Forbes, or with such modification as might be deemed advisable.

On the 28th of March 1850, the members of the Association waited on the Governor General with the Memorial and Papers on Municipal Reform ; they were received graciously, and every thing that they could wish, was promised. In January 1851 a letter was addressed to the Under Secretary to the Government of Bengal, taking strong objections to the proposed revised Municipal Act, but no satisfactory result was obtained.

In March 1834, the Chamber of Commerce applied to the Trade Association to know if any of the members wished to join the Chamber : they declined the honor, but stated that they would be most happy to join them in any measure of public utility.

A circular was sent round on the 18th June 1836 with a view to induce the mercantile and trading community to join either the Chamber of Commerce, or the Trade Association.

In May 1834, Dr. Jackson submitted to the Association a plan of the ground for erecting a new meat and fish bazar at the corner of Dhurrumtolloh and Chowringhee street, but the Association were desirous of having a plan in a more matured shape, and were of opinion that if it were made a joint stock company and divided into small shares, it would be more likely to succeed, as the interest in its welfare, irrespective of the benefits, would be more extended. On the 5th of July it was proposed and agreed that it should be divided into shares of 200 Rupees each. The plan having been submitted by Dr. Jackson,

Appendix I. pp. 170 to 176.

the Committee were desirous of assisting Dr. Jackson in a scheme calculated to benefit the community at large.

Dr. Jackson having agreed to this, the Committee reported on the 9th of August that the shares were fast filling up.

Dr. Jackson however announced in the *Courier* of the 9th of September, that he had abandoned the sharehold scheme, a difference of opinion having arisen in the Bazar Committee as to the value of the ground, in consequence of which Dr. Jackson withdrew; it was then agitated by the committee of the Association whether it would not be advisable to obtain from Government a grant of ground for the erection of a Bazar: the plan of a new Bazar, or the improvement of some of the old ones raised considerable discussion, and in January 1835, a memorial to government was sent in, the reply to which was received on the 10th of February 1835.

In July 1834 the state of Vagrancy in Calcutta was discussed, and the Committee put themselves in communication with the Central Committee on the subject, and continued their representations until June 1835.

In July 1834 the crowded state of the ghauts, and the Appendix J. insecurity of life and property on the river, pp. 176 to 185. were brought under consideration, and in March 1835, a memorial was forwarded to the Government of Bengal, on the river police, state of the ghauts, and insecurity of life and property, which resulted in much practical good. Amongst other improvements, the moorings of the Master Attendant's vessel were moved, orders for more regular and less crowded moorings of ships at the ghauts, and better arrangements in regard to boats.

In October 1834 the desirability of a law regulating Appendix K. apprenticeship was discussed, and on the pp. 183 to 197. 15th March 1835 a letter was addressed to the Magistrate on the subject: on the 23d September 1835 the Committee received a communication from J. C. C.

Sutherland, Secretary to the Indian Law Commission, calling for information on the subject, to which the Committee replied on the 30th December 1843.

In November 1846, a letter was received from the Under Secretary of Government, Mr. A. R. Young, forwarding copy of a Draft Act concerning the binding of apprentices, with a request from his Honor the Deputy Governor of Bengal, that the Association would favor him with their opinions and observations on its provisions, to which the Committee replied on the 19th December, and on the 11th April 1850, Act No. XIX of 1850, concerning the binding of apprentices, was passed.

In November 1834 the propriety of undertaking the arbitration of claims and the trusteeship of property assigned for the compromising of debts, ^{Appendix pp. 14 and 15.} was discussed, and Rules for this purpose were prepared and passed on the 13th June 1835, together with a letter of agreement, which will be found in the Appendix: few have availed themselves of the Committee of Arbitration, but several have taken advantage of the Trusteeship, and the Association has been instrumental in relieving some few from their debts in the least expensive and public manner, and to the satisfaction of both debtor and creditor.

On the 2nd December 1834, a memorial was addressed ^{Appendix pp. 18 to 22.} to the Governor General, setting forth the objects of the Trade Association, and praying to be recognized as a Public Body, with authority to address the Government when they desired, and had sufficient and reasonable cause for so doing, which prayer was granted so far as his Lordship had the power, on the 29th December 1834.

In February 1835, on the occasion of the departure of ^{Appendix L. pp. 198 to 200.} the Right Honorable Lord William Cavendish Bentick, G. C. B. for England, the Association presented him with an Address, to which his Lordship

most graciously replied: to this reply the attention of every Tradesman in Calcutta is called, and it is to be hoped that the opinion expressed in the fourth para. will not be lost sight of at this important juncture.

In February the almost exclusive duty levied in England on Sugar and other staple produce of India was brought under the consideration of the Association, and on the 9th April 1835, a Petition to Parliament on the subject was forwarded to Mr. Crawford, with a letter of credit to cover any expense which might be incurred: the London Merchants however took up the subject so warmly, that they had 1000 copies of the Petition printed, and Mr. Crawford returned the letter of credit with a very handsome acknowledgment. The petition had its modicum of influence on the subsequent equalization of the duties on East and West India produce.

On the 14th February 1835, a representation was sent to the Secretary to the Customs Committee, pointing out the changes which it would be necessary to effect in that Department, in order to facilitate business, and remove serious impediments to the progress of mercantile transactions. This representation was attended with beneficial results. In 1850, a memorial was forwarded to the most noble the Governor General of India, seeking relief from the heavy impost to which the Merchant Trader was subjected by the monopoly of the record of the daily Imports and Exports of Calcutta by two of the head officers of the Custom house, and praying that his Lordship would adopt such measures as would at once give a negative to the right of any public officer using public records for private gain. To this a reply was received on the 30th Nov. stating that the memorial had been at once forwarded to the Deputy Governor for report. The monopoly was subsequently removed.

In July 1835, Trial by Jury in Civil Cases was brought

Appendix O.
p. 212 to 219. under consideration, and in April 1836, a memorial was forwarded to Government, praying for Trial by Jury in Civil Cases, to which Petition the Committee received, on the 4th June, a reply, forwarding a copy of the answer of Government to the address of Mr. Cockerell, in answer to the Petition of the inhabitants of Calcutta upon the same subject. The measure advocated has, as you are aware, never been carried out.

On the 29th of July 1835, a memorial was forwarded to Appendix P.
p. 219 to 228. Government, praying a reconsideration of the regulations for rescinding Section II. of Regulation V. of 1830. With reference to this memorial a reply was received on the 3d of August 1835, proposing a measure by which the objects of the Association might be met without disturbing the Act of rescindment, and again on the 15th November 1835, the Government addressed the Association on the subject, forwarding copy of a communication addressed to Messrs Nowell and Co. and other Indigo Planters of the district of Sarun and Tirhoot. This communication was ordered to be put on record, but it does not appear that it was ever replied to; the result however was Act X. dated April 11th 1836, providing that Ryuts engaged to cultivate Indigo plant evading their contract, should be punished with fine to the extent of loss.

In October 1835 the qualifications of Jurymen were brought under discussion, and 350 names were added by the Committee to the Petty Jury list.

In December 1835, the proposed change in the currency Appendix Q.
p. 229 to 240. was brought under discussion, and a resolution passed, that all debts due and contracted or before the 1st of May 1836, be paid in Sicca Rupees, or their equivalent in Company's Rupees. That from and after the 1st of May 1836, all transactions be made and payment received in Company's Rupees.

In August 1840, a letter was addressed to Mr. Morley

the Accountant General, on the subject of the Copper Currency, recommending the coinage of $\frac{1}{2}$ and $\frac{1}{4}$ Pyce as more consistent with the Bengalee Division of accounts: and in reply to this, the Accountant General requested the favor of the Master calling at his Office, when convenient, for the purpose of communicating the purport of the reply from Government, and further to discuss the propositions, before submitting them for the consideration of superior authority. This interview was followed up by further letters to Mr. Morley; to which a reply was received, declining to recommend the proposed change, and on receipt of this, a letter was forwarded, with copies of the correspondence on the subject, to G. A. Bushby, Secretary to the Government of Bengal, in the Financial Department, from whom a reply was received to the effect, that the Government declined making any changes in the Copper Currency, in consequence of the advantage which was always taken on such occasions, by shroffs, to disturb the circulation.

The Association are again agitating the question and propose memorializing the Government of India for a larger coinage of half anna pieces, and a coinage of half and quarter pyce, as well as the one third of a pice or pie piece.

In March 1836, the charge of the shroffs for changing Appendix R. rupees into pyce became so exorbitant, that pp. 241 to 247. the Association proposed opening Shops for changing rupees into pyce at par, provided the Government would supply them with a sufficient quantity of pyce to meet the demand, and on the 26th of March, Shops were opened, and 1,300 Rs. worth of pyce were daily exchanged, the difference however, in many of the bags received from the mint, between the number stated to be contained in them, and the actual number found, was so great, that when added to the expense incurred in paying Poddars and other servants, necessary for the Establishment, that the Association deemed it expedient to represent the case to the Mint

authorities, but finding no redress there, which did not involve a greater expense and considerable loss of time, application was made to the Government, for an allowance for the payment of the Establishment, amounting to about 310 Rs. per month, this the Government declined, and as it appeared to the Association the Government were indifferent to the evils with which they had afflicted the public by its measures with reference to the Copper Currency, the Association closed their Shops; this had the desired effect: the Government were compelled to open Shops of their own by licensing Poddars and allowing them $\frac{1}{2}$ a pyce on each rupee's worth of Copper Coin.

At a Meeting of certain Members of the Committee of the Trade Association in 1836, it was agreed that both these bodies should unite in means to establish a uniform system of weights and measures, as well as one currency and one rate of discount, to which effect resolutions were carried unanimously at a Meeting of Merchants, Agents, and Tradesmen, held at the Exchange on the 11th of May, 1836.

The many changes which took place in the mercantile community subsequent to this period, the want of uniformity of practice in regard to weights and measures, tended to frustrate the accomplishment of a measure fraught with so much benefit, and the old and confusing practice of Sicca Rupees, Current Rupees, the Factory Maund, and Bazaar Maund continues to prevail in all mercantile transactions to this day. The Trade Association have taken up the subject again, and propose moving the Chamber of Commerce for the purpose of adopting a universal practice of using nothing but the Indian Mun, and Company's Rupees in all transactions.

In December 1836, the Association received a communication from Mr. Crawford, forwarding copy of a paper given into the Committee of the House of Commons on the Bengal Salt Monopoly, the subject engaged the attention

of the Association, but it was considered one fraught with such important consequences to the Revenue of India, that it had better be left for further consideration, when the discussion on the renewal of the Charter in 1851, should commence.

In February 1837, enquiry was made of the Registrar of the Supreme Court, as to the time of payment of dividends being made on estates, administered to by the Ecclesiastical Registrar.

The Master having communicated with the Registrar on the subject, he entered fully into the views explained by the Master, and gave assurances that the suggestions on this subject should be attended to.

In March 1837, the removal of the Government Steam Boats to Kidderpore, was contemplated, and as this would oblige Shippers, to send their goods there for shipment, a letter was addressed to Government on the subject, to which a satisfactory reply was received, and the removal prevented.

In July 1837, a letter was addressed to the Comptroller of Government Steam Vessels, complaining of the serious disappointments experienced, in consequence of the frequent occurrences of goods being shut out of the Government Steam Boats for want of room.

In November 1837, a proposition was submitted by Mr. Suwercrop for establishing Inland Steam communication in this country, upon a scale sufficient to meet the great demand for the transmission of goods and passengers to the upper provinces, and after due consideration of the measure, it was resolved to support individually and collectively, any well arranged plan for the accomplishment of this desirable object.

In July 1838, a plan was submitted to Captain Johnston, Comptroller of Government Steamers, for the purpose of regulating the mode of procuring Freight in the river steamers. Captain Johnstone called upon the Secretary, and expressed

his readiness to meet the views of the Association in every way in his power, and proposed meeting the Committee on the first convenient opportunity, and did in accordance therewith, meet on the 21st of July 1838, when it was arranged, in consequence of Captain Johnston's statements, that the auction system of procuring freight should continue, in the hope that the then high rate would diminish very speedily.

In August 1838, a scheme for establishing a River Steam Navigation Joint Stock Company, drawn up by Messrs. Eglinton McClure and Co. was submitted by Mr. R. S. Thomson.

In April 1841, a letter was addressed to the Comptroller of Government Steamers on the subject of a notice issued from the Marine Board office, in July 1837, fixing the weight of a cubic foot at 35lb and in the present month at 24lb, to this a reply was received, which induced the committee to address, on the 17th May, 1841, a letter to Captain Johnston, pointing out the very high rate of freight to which low valued articles were subjected, consequent on the adoption of 24lb to the cubic foot.

In consequence of the hight rate of Freight, and the annoyances and disappointments to which members had been put in regard to their packages, the Establishment of an Inland Steam Navigation Company was at several meetings discussed, with a view of inducing capitalists to enter on the speculation of a Joint Stock Company; about this time the India General Steam Navigation Company, and the Ganges Company started, and put an end to the necessity for further discussion by the Committee of the Trade Association.

In July 1838, endeavours were made to establish a Club House at Dargeeling, to which Members of the Association might resort when requiring change of climate in consequence of indisposition, but such a decided preference for Europe was manifested, that the object was abandoned.

The Establishment of a Cossid Banghy Company, was dis-

cussed in October 1838, and in May following a printed plan for a Mofussil Cossid Conveyance was brought forward, and strongly recommended to the favorable consideration of the Association, but for want of support it was abandoned.

In May 1839, a letter was addressed to the Secretary to the Government of India, in the general department, suggesting measures by which Military Officers might be prevented from resorting to the Insolvent Court in order to relieve themselves of their liabilities, and which would prevent the continued withdrawal of Officers at various periods from their duties. The Government however declined entertaining the proposition, and officers were left to the remedy of the Insolvent Court, and the public service to the deprivation of their services.

Considerable inconvenience having been experienced from a want of uniformity in the observance of native holidays, a letter was addressed to the Chamber of Commerce in April 1839, proposing a mutual arrangement to define and establish, what days should be considered as native holidays, this with a view to such days only being allowed to their respective establishments, in order to prevent the inconvenience to commerce and trade which existed by different public, as well as private Establishments in Calcutta, keeping different holidays, the Chamber in reply recommended the observance of the same Holidays as the General Treasury.

In October and November 1849, the subject was again brought under discussion, and a list of native holidays, to be observed by men of business, submitted to the committee—the question is still unsettled, but the irregularity that hitherto existed has in a great measure abated.

In April 1839, the entrance fee of 50 Rupees, paid by persons on their becoming members of the Trade Association, was abolished—the propriety however of establishing an entrance fee of smaller amount, has again been brought under consideration.

In April 1839, communications were received from Mr. A. Rogers, chairman of the London Corresponding Committee, on the cultivation of tea and flax: their growth and export, as also the export of oil seeds and the method of tightening oil casks.

Appendix S. p. 247 to 252.

In April 1839, a communication was received from Mr. MacFarlane, Chief Magistrate, on the frequent occurrence of robberies by coolies; and after considerable correspondence it was agreed that it would be advisable to have all Coolies, Hackeries, and Bhurs registered.

In June 1839, arrangements were made with Mr. Mendes for the regular publication of a Trade List, at a cost of 300 Rs. per month, to contain all information necessary and important to men of business. As long as this list continued to be published, Houses of Agency were allowed to be either Members of the Association, or Subscribers to the List.

Some alterations were made in the agreement in November 1839, by which each member was to be supplied with a copy at a cost of 8 Rupees per month.

In June 1840, in consequence of the very great deficiency of the information supplied by the Trades List, it was resolved that it should cease, so far as the Trade Association was concerned, on the 31st of July.

In October 1839, a case of a protested Treasury Bill for £200 was submitted to the Trade Association for its opinion as to the liability of the seller. The Committee after due consideration of the subject, decided that the seller was liable for the original amount paid, with 25 per cent. damages.

In January 1840, the case was reported to the Association as having been settled by payment of 25 per cent. damages, and interest at 10 per cent. from the day of demand, based on the opinion of the Chamber of Commerce, the Trade Association; the Counsel for the holder and the legal advisers of the opposing parties.

In February 1840, the difficulties and delay in obtaining

Appendix T. from the General Treasury, the interest due
 p. 252 to 269. on Government Promissory Notes was brought
 under discussion. The Master and Past Master had an in-
 terview with the Accountant General on the subject, which
 resulted in a letter addressed to the Accountant General,
 dated the 9th March 1840, in reply to which the Accountant
 General requested the Master to call at his office, in order to
 discuss the subject: the result of this interview was com-
 municated to the Association, when it was resolved that
 another letter should be addressed to the Accountant Gen-
 eral, which was forwarded on the 9th of March 1840, to which
 a reply was received on the 31st of August 1840, in which it
 was stated that the Government had acceded to the request of
 the Accountant General, granting an increase of Establish-
 ment for the purpose of meeting the wishes of the Associa-
 tion. The evils however complained of still existing, a me-
 morial was addressed to the Governor General in Council, to
 which a reply was received, promising a remedy. The
 memorial having been submitted by Government to the
 Accountant General for his report, the Trade Association
 was called upon to furnish the plans referred to in the me-
 morial, which were forwarded on the 16th of March 1842.
 since which the practice of granting receipts for Co.'s Paper,
 and greater facilities in obtaining interest drafts have
 been observed, although the Government declared the re-
 commendations of the Association in regard to the method
 proposed for the management of the interest branch of the
 Accountant General's Office impracticable.

In February 1840, the subject of Attorneys' Charges being
 Appendix U. made in Sicca Rupees, engaged the attention
 p. 269 to 271. of the Association, and in March following a
 memorial was presented to the Honble Sir Edward Ryan,
 then Chief Justice, praying for an order of Court to re-
 gulate the charges of Attorneys in accordance with the Com-
 pany's Rupee, to which a reply was received on the 1st of

April, stating that the Judges would take into their earliest consideration the best mode of regulating the law charges of Attorneys, but to this day no change has taken place, Attorneys' Bills continue to be made out in Sicca Rupees.

In 1840, the sum of Co.'s Rs. 575 was forwarded as a subscription from the Trade Association to the Lying-in Hospital.

The subject of unclaimed dividends of Insolvent estates, engaged the attention of the Committee in May, 1840, and the Master, Mr. Shearwood, and Past Master, Mr. Burkin-young, had an interview with the Counsel of the Association for the purpose of ascertaining the law of the case, and the most advisable steps to take in order to obtain their appropriation.

The Counsel and Solicitor of the Association attended the Committee on the 23rd May, 1840, and communicated their sentiments on the subject, when it was resolved that the Secretary should write officially to Mr. Clarke, requesting him to wait on the Chief Justice for the purpose of obtaining his Lordship's opinion and sentiments as to the publication of a periodical list of all unclaimed dividends of Insolvent estates, and further requesting him to wait on the Hon'ble Sir Edward Ryan, Chief Justice, and the Honble Mr. Amos, Legislative Member of the Council of India, for the purpose of ascertaining their sentiments and opinion as to the practicability of legislating for the appropriation of unclaimed dividends to such purposes as may be deemed most equitable.

In July 1840, the Council of the Association was requested to prepare a Memorial to the Chief Justice, praying for greater facilities in recovering dividends which had been paid into Court by the Official Asignee and the appropriation of unclaimed dividends: Mr. Clarke attended the Committee and informed them of the difficulties which appeared to be in the way of legislating for the appropriation of

unclaimed dividends, and at the same time stated, that in reference to the request of the Association to that effect, he had obtained an order of Court by which parties would be enabled to join in any number in one application for the payment of the dividends due from any one Insolvent estate, provided each claimant's demand did not exceed two hundred Rs.

On the 18th of July, 1840, a letter was addressed to Appendix v. Mr. Clarke, pointing out the objects which they pp. 271 to 273. considered the Memorial to the Chief Justice should embrace, in respect of the appropriation of unclaimed dividends: the object however was gained through the representation of Mr. Clarke, and without the necessity of a Memorial, by the passing of Act No. XXVII. of 1841, being an Act for appropriating the unclaimed dividends on Insolvent estates.

In January 1840, the Committee received a communication from the Chamber of Commerce, stating that they had determined on Memorializing the Supreme Court, soliciting the interdiction of the Registrar and other officers of the Court from engaging in mercantile speculations. To this the Committee replied, that they were well disposed and would be most happy to join them, provided on being furnished with a Copy of the Memorial they should see no reason to dissent from its general tenor, but to this letter no reply was ever received, the object however was accomplished by the passing of Act XV. of 1848.

Some cases having been brought before the Committee in Appendix w. July, 1841, having reference to the statute of pp. 273 to 278. limitations, the Counsel of the Association was applied to for his opinion as to the law of the statute of limitations, in reply to which the Committee were furnished by Mr. Clarke with a valuable analysis, which will be found in the appendix.

In October 1841, the method of advertizing and conduct-

Appendix X. ing Sheriffs' Sales was brought under discussion, pp. 278 to 281. and on the 13th December a. Memorial was forwarded to the Chief Justice, praying for a more extended mode of advertisement, and the employment of professional persons as Auctioneers; to this a reply was received on the 28th of December, promising that measures should be adopted for carrying into effect, as far as practicable, the recommendation of the Trade Association. In September 1842, a letter was received from the Chief Justice, recommending that the correspondence should be forwarded to the Law Commissioners, and on the 23rd of November 1842, a letter accompanied by all the documents, was forwarded to the Secretary to the Government of Bengal, to which a reply was received on the 13th of January 1843, stating, that his honor the Deputy Governor did not consider the subject of sufficient importance to justify a legislative enactment.

In April 1842, the state of the Police was brought under discussion, and it was resolved to address a memorial to the Government on the subject. In the course of inquiry, it was ascertained that the state of the Police was under the consideration of the Law Commissioners: the question was therefore postponed.

In February 1845, a letter was received from the Secretary Appendix Y. to the Police Committee, annexing extracts of a pp. 281 to 285. letter from the Secretary to the Government in the Judicial Department, and stating that the Committee would be glad to be favored with such suggestions as might occur to the members of the Association. A reply was forwarded on the fifth of April following, with extracts from the proceedings of the Committee of the Association, containing suggestions for the consideration of the Police Committee. Few or none of the suggestions seemed at the time to meet the approbation of the Committee: they have however been gradually introduced in the Police Rules, as far as can be judged by the present practice of the Court.

In July 1842, a Draft Act for the prevention of nuisances, was submitted by Mr. L. Clarke, Counsel for the Association, which was with a few trifling alterations generally approved, and returned; but, it is believed, this Act gave place to Act No. X. of 1842.

In September 1842, a Draft Act for limiting the recovery of small debts, was submitted by the Secretary to the Law Commissioner, for the opinion and observations of the Association, to which a reply was forwarded on the 3rd of October following.

In May 1842, the subject of arrest under mesne process engaged the attention of the Association, and the Master Mr. R. J. Lattey, and Past Master Mr. H. Burkinyoung, had an interview with the Chief Justice Sir. L. Peel on the subject; on the 17th of May, a letter was addressed to the Counsel of the Association, Mr. L. Clarke, and again on the 24th November, as to the extension to this country of Act 1-2 of Victoria. C. 110; but, it appearing that it would be attended with considerable difficulty, the subject was allowed to stand over until more perfect information as to the probable working of such an Act could be obtained.

In February 1843, the practice of paying fees at the Police Appendix Z. for affidavits, engaged the attention of the Committee, and in February 1843, a letter was addressed to the Chief Magistrate on the subject, to which a reply was received in March, in which it was stated that no fees were demandable upon compulsory affidavits made at the Police Office; the distinction between compulsory and voluntary affidavits is laid down in the reply received from the Chief Magistrate.

In April 1843, the rates of premium payable on the insurance of goods conveyed by Government Inland Steamers, engaged the attention of the Committee, and from all the information that could be obtained, it was found that an abatement of only $\frac{1}{2}$ per cent from the usual charge on

country boats prevailed; as this was considered a very inadequate reduction, taking into account the diminution of risk, the Committee came to the conclusion that the maximum rate to Allahabad ought not to exceed one per cent.

River Insurance Companies have long been extinct, and the subject had been frequently under the consideration of the Committee, but from the want of correct information, the introduction of so many river Steamers, and the possible construction of a railroad, the demand for such a Company did not seem to warrant an effort for the establishment of one, though it is understood many rich Native merchants of the Burrah Bazaar do take river insurance risks.

In April 1843, the practice of the Allipore Court engaged the attention of the Committee, and a memorial to the Government, praying the adoption of rules by which more speedy and effectual justice might be obtained, was contemplated, but as it was communicated to the Committee that the Legislative Council had the subject under its consideration, further movement in the matter was then considered unnecessary.

It does not appear however, that any great amendment has taken place in the practice of the Court since that period, and the subject will again be brought under consideration.

In August 1843, a communication was received from Mr. P. A. Roussac, stating that a Trade Association had been formed at Bombay, and requesting information on the working of the Calcutta Trade Association; a copy of the Rules and Regulations of the Calcutta Trade Association, and a copy of the last three quarters Reports were forwarded, with a letter conveying the desire to enter upon a correspondence with the Bombay Association for mutual benefit: nothing has however been heard of the Bombay Association since.

In July 1844, the desirableness of memorializing the

Government for an Act to facilitate the execution of writs of the Supreme Court in the Mofussil was brought under discussion, and the solicitor of the Association was applied to for suggestions on the subject: it was subsequently brought to the notice of the Committee that the Government contemplated an Act, but it has not yet appeared.

The subject of introducing Railroads into India, was brought under consideration in September 1844, consequent on a Communication from Mr. R. M. Stephenson, and after considerable discussion it was resolved, that the Association are unanimous in their belief that a Railroad upon some eligible line, taking in its course the most important stations along the valley of the Ganges, up to Mirzapore, cannot but realize great advantages to the country, and be the means of developing products and resources that are yet unknown, in addition to the facility that it would give to the transit of merchandize and produce; but that not having information or data to enable them to come to an opinion as to the probable outlay and returns of a Railroad in India, yet believing that such works might be accomplished at an infinitely less cost than in Great Britain, they are of opinion that a Railroad laid down upon a line terminating at or near Mirzapore, could not fail ultimately to be successful and profitable, when the unlimited amount of agricultural and mineral produce, and merchandize that must be in transit between Calcutta and Mirzapore is considered; this, independent of what may result from the intercourse of passengers, Native and European, throughout a line of such importance.

The Association have watched with intense interest the whole of the proceedings had in reference to the introduction of the first Railroad in India, and have much regretted the many unnecessary impediments which have been thrown in the way of its speedy completion. It is to be hoped however, that all difficulties will be at

last surmounted, and that the time is not far distant, when we shall have the pleasure of witnessing railroad travelling in India.

The Trade Association anxious to aid as far as circumstances would permit, any effort for the adoption of measures calculated to improve the moral and social condition of the rising generation, saw in the latter part of the year 1845, with much satisfaction, the probability of the establishment of an institution which they deemed calculated to afford considerable amusement and instruction, by communicating in the most attractive form, a vast amount of valuable information ; and in consequence the Association did, by a unanimous vote of the members, contribute towards the establishment of the "Calcutta Lyceum," the sum of one thousand Rupees, with a recommendation that such portion of it as was necessary, might be expended in the purchase of apparatus for a course of lectures on Hydro-Electricity.

It is to be lamented that want of public spirit, together with the restrictions which the Government, at the time, laid on the officers who were capable of giving attractive and scientific lectures, brought the Lyceum. commenced under most favorable auspices, first to a state of lethargy, and at last to a state of perfect inanition.

In April 1847, a half margin copy of the Draft Act for copy-right, was forwarded to the Association by Mr. C. Beadon, Under Secretary to the Government of Bengal, for any remarks or suggestions which the Association might have to offer, to which a reply was forwarded on the 14th June following, expressive of the satisfaction which the Association felt at the attention of the Legislative Council, and suggesting one slight alteration in the Draft Act.

In September 1839, a memorial was forwarded to the Honble. the President of the Council of India pp. 298 to 302 in *Council*, praying the extension of so much of the 28th Section of Act 3-4 William IV ch. 42 to this

country, as will entitle Tradesmen to claim interest on proof of written demand; and on the 3rd of December following, Act No. XXXII of 1839, being an Act concerning the allowance of interest in certain cases, was passed.

In July 1847, a letter was received from the Directors of the India General Steam Navigation Company, requesting the opinion of the Association as to the probable cause of the want of success which that Company had experienced, a reply was forwarded, pointing out, what appeared to the Association, the causes in operation to the prevention of success.

In September 1847, the Association presented their Secretary with a handsome Silver Standish, accompanied by a very flattering letter.

On the 6th of September 1848, in consequence of the tenor of a reply from the Registrar of the Ecclesiastical Court, on the application of one of the members of the Trade Association for the payment of a claim due from the Estate of the late Lt. Col. Jno. Oliver, it was resolved that every member of the Association should draw up a statement of their claims on the Estates which had been Registered by the late Registrar, Sir T. E. M. Turton, with particulars as to dividends paid, this, with a view to the Committee calling upon the Registrar for information as to the assets of such Estates received, but not paid over, by his predecessor.

On the 23rd September, a copy of Act 2, George 4th, and 1st of Wm. 4th, chapter 75, being an Act for the relief of the sufferers by the Insolvency of Gilbert Ricketts, formerly Registrar of the Ecclesiastical Court of Madras, was obtained.

On the 11th of November a partial list of claims on Estates administered by the late Ecclesiastical Registrar was obtained, and measures were adopted for getting it filled up from the list in course of preparation by the Registrar; in consequence however of the state of the records of the Regis-

trar's Office, considerable time was required. It having been ascertained beyond a doubt, that there was considerable defalcation in the funds of the late Ecclesiastical Registrar, it was determined on the 24th February 1849, that a memorial should be forwarded to Government, praying relief on account of the defalcations and insolvency of the late Ecclesiastical Registrar, and on the 23rd of March a Memorial to the Deputy Governor of Bengal and President of the Council of India was forwarded to the Secretary to the Government of India, to which a reply was received on the 21st April, refusing to recognize any claim on Government.

On the 5th of May a special general meeting was resolved upon for the purpose of taking into consideration what further measures it would be advisable to adopt, the Government having refused to recognize any claims upon it on account of such defalcations.

At a subsequent meeting it was resolved that the memorial to Government, and the correspondence on the subject should be forwarded to Mr. Malcolm Lewin, of Elthore in Kent, with a letter soliciting him to bring the matter before the Court of Proprietors of the E. I. Co. on the part of the Association and the Indian Public generally.

In accordance with this resolution, a letter was addressed to Mr. Lewin on the 19th of May, accompanied by copies of all the necessary documents, to this a reply was received dated the 6th of August; subsequent to which, various communications have passed between the Association and Mr. Lewin on the subject.

On the 1st December 1849, an advertisement was inserted in the papers calling upon those who had suffered from the defalcations, to co-operate with the Association in their endeavours to obtain relief; at the same time the correspondence between the Association, the Government of India, and Mr. Lewin, with other documents, were published in the form of a pamphlet and distributed gratis.

Every endeavour was made to obtain, from the Administrator General, a correct list of the claimants on Estates who had suffered from the defalcation of the Registrar; but without effect.

In consequence of information received from Mr. Lewin, a Petition to the House of Commons was prepared, and an advertisement was inserted in all the Papers, calling upon claimants to sign it: the proprietors of the Newspapers *most liberally inserted the advertisement without charge.*

The Petition was prepared by Messrs. Judge and Burkin-young, the Attorneys of the Association, without charge, and forwarded to Mr. Lewin on the 7th February, 1850.

In consequence of the move made by Mr. Lewin, and his Petition to the House of Commons on behalf of the Trade Association, a select Committee was appointed, consisting of Mr. Roebuck, Mr. Elliot, Mr. Armstrong, Mr. Bouverie, The Marquis of Duro, Viscount Jocelyn, Mr. A Hastie, and Sir J. W. Hogg; which Committee recommended that the claimants should be satisfied out of the funds of unclaimed Estates, and that, in case they should at any time come forward, the payment of such claims should be made out of the revenues of the country.

In accordance with this recommendation, a dispatch was sent out from the Court of Directors in August 1850: directing that, on receipt of the dispatch, measures should be immediately taken, to carry out the recommendation of the Select Committee, the details of which were left to the Govt. of India; and by the same dispatch, the Judges of her Majesty's Court in Calcutta were required to assist in the preparation of a legal enactment, so that the heirs of unclaimed Estates, should they hereafter arise, might not be endangered in any way.

On the 1st of January, 1851, a Draft Act for relief of certain sufferers by the insolvency of Sir Thomas Turton appeared, which passed on the 6th of June, as Act

No. V. of 1851. Authorized lists of the claims to be reimbursed, have been obtained for the use of members of the Association.

The committee cannot allow this opportunity to pass, without recording their sentiments of the invaluable aid and untiring perseverance of Mr. Lewin, to whom the claimants on the Estates may consider themselves mainly indebted for the favorable position in which they have been placed, and it is to be regretted that a sense of the obligation has not induced them to make some substantial acknowledgment of the services so willingly and so perseveringly rendered by Mr. Lewin. The Trade Association had no pecuniary interest in the result, either as a body, or individually as members, and only took up the question on public and general grounds.

In June 1849, the necessity for memorializing the Government for a Partnership Act for limited responsibility was discussed, and in the Calcutta Star of the 28th July, an article appeared on the subject, from which it appeared that Mr. Headlam, member of Parliament, had moved to bring in a bill, but was strongly opposed by the Chancellor of the Exchequer: under these circumstances the Committee deemed it advisable to allow the question to remain in abeyance.

In October 1849, it was proposed that measures should be taken to induce the inhabitants of the division of the town in which Tank Square is included, to meet and appeal against the public nuisance caused by Native processions, and as a preliminary measure, application was made to the several hospitals in order to obtain statements of the accidents and casualties caused by such processions.

It appeared however that the records of the Hospitals afforded no information on the subject, and that the Police records were equally deficient: in consequence of which the only tangible argument the Association had to present, was that of interruption of business and other matters,

from the incessant din and noise of the rude instruments used by the natives as musical.

Mr. Law the Superintendant of Police, upon his own responsibility, put a stop to the nuisance for a short time, but on an appeal from the native public to the Government, Mr. Law's order was rescinded, and in consequence the nuisance continues: the new Police Act however gives *power to the Magistrates to prevent native processions and the beating of noisy instruments.*

The principal subjects that have engaged the attention of the Association, in addition to the usual and ordinary business having special reference to the interests of members individually and collectively, are now concluded.

A list of the subjects brought under consideration by the several Committees of the Association, including those touched upon in this report, will be found alphabetically arranged in the Appendix, pp. 302 to 308, with the dates of the meetings at which they were brought under discussion.

A statement of the receipts and expenditure of the Association from its commencement to the end of the year 1850, will be found in the Appendix, by which it will be seen that the total amount received in subscriptions, donations, and entrance fees, has been Co.'s Rs. 73,116-11-7; and that the total amount paid on various accounts, has been Co.'s Rs. 73,220-10-10.

A list of the Officers of the Association from its establishment, to the commencement of the year 1851, will be found in the Appendix, as also an alphabetical list of the members, the dates of their election, and resignation.

The Trade Association from the day of its foundation has gradually progressed in importance and utility. It has, as will be perceived from the statement contained in this report, been engaged on matters of importance and usefulness as concerns the public generally, and it is to be hoped that this publication of its transactions will add to the already

deserved estimation in which it has been held by the Government and the public generally, for many years, whilst it recalls its history and workings to the members.

The Trade Association has not perhaps realized those permanent results which it might have done, had not so many persons held aloof: it is to be hoped, however, that there will be a steady perseverance in the right course, and that *with increasing members and increasing funds, much good will result.*

It may be observed that the useful and independent course the Association has pursued for years, has gradually raised it in the estimation of the Public, and now that India is engaging the attention of the Houses of Parliament, the record of the proceedings of the Trade Association, may be most appropriately closed by the answer of the late Right Hon'ble Lord W. C. Bentinck, to the Address presented to him by the members of the Association :

“Having been for many years a warm advocate for reform, “I have contemplated with pleasure the great benefits “derived from that measure by the larger admission into the “councils of the kingdom of the intelligence and patriotism “of those classes which have previously been in a great “degree excluded. A somewhat similar feeling is excited “by the present transaction. It is the exaltation of a Class, “a new infusion of independence, and usefulness, working for “the benefit of all, which delights me: you represent, and “worthily, the respectability, the knowledge, and enlightened “principles of the same class in our own country.”

“Your connection with every branch of business enables “you to judge how all separately and collectively are affected “by the public institutions and by the measures of those who “preside over them; and yours is an impartial and inde- “pendent evidence, of which, if favorable, any Government “would have reason to be proud. I am so: and beg to re- “peat, through you, to the community at large, my grateful

*“ acknowledgements for the comfort which the manifestation
 of so much kindness and good will must impart to the re-
 maining period of my life, whatever be my lot. Health
 or Sickness, Prosperity or Adversity.”*

The committee cannot conclude this report of the transactions of the Trade Association, without recording their sense of the valuable services rendered to it by Mr. Samuel Smith, whose liberality on its formation; steadfast adherence to its welfare and interests; and ready assistance under circumstances which required the aid of his experience and judgment, have won for him the respect and esteem of every member, and as a mark of respect and approbation, he was in August 1850, re-elected **PERMANENT PRESIDENT of the Association.**

Neither can the Committee overlook the very important services rendered to the Association by Mr. John Muller, since his appointment in 1840. Mr. Muller has not merely fulfilled the ordinary duties of a Secretary on a very inadequate allowance; but he has by his unceasing labor and untiring energy, been the main prop of the Association; suggesting matters for consideration, drafting, and preparing them, and getting up details with a promptness and foresight of all incidental circumstances which entitles him to their best thanks.

Your committee also feel it their duty to place on record, the very liberal offer made to the Association on its foundation, by Mr. Longueville Clarke, to afford his professional advice to the Association, either collectively or individually, whenever its interests were concerned.

A P P E N D I X.

RULES AND REGULATIONS

OF

THE CALCUTTA TRADE ASSOCIATION, ESTABLISHED AT CALCUTTA

5th July, 1830,

AS THEY STOOD UP TO 1836.

RULES.

1. That the Office Bearers shall be elected once a year by Ballot from the Members of the Association, and to consist of a Master, senior and junior Warden, Treasurer, and Secretary.
2. That the elections shall take place at the December monthly Meeting.
3. Applicants for admission as Members must be proposed, seconded, and ballotted for.
4. That four black balls shall be considered sufficient to exclude an applicant from being admitted.
5. That the Committee of Management shall be elected at the January monthly Meeting, and to consist of not less than fourteen, including Office Bearers, and five to be considered a quorum.
6. That three Members of the Committee shall go out by rotation, and the Master shall substitute three others from the list of Members in their place; any one so named who may decline acting on the Committee being at liberty to withdraw.
7. That the Committee shall meet once a week for the despatch

of business, and take into consideration such matters as may be laid before them, their decision being subject to the approval of the General Meeting.

8. In any case where the votes are equal, the Master's casting vote shall be considered decisive.

9. That the General Meeting shall take place on the second Saturday of every month.

10. That the Past Master shall take the chair in the absence of the Master.

11. *That the entrance fee shall be fixed at fifty rupees, to be paid by the applicant on being admitted a Member.*

12. That each Member shall be furnished with a copy of the Regulations on paying two rupees.

13. That the sum of six rupees per month be paid by each Member in advance.

14. Any Member allowing his bills to remain unpaid beyond three months, shall have his name erased from the list of Members.

15. That all drafts on the Treasurer shall be previously signed by the Master before they are presented for payment.

16. That the Secretary shall collect, with the aid of the Assistant Secretary and peons, all bills due to the Association, and disburse the necessary monthly expenses.

17. That a statement of the monthly collections and disbursements shall be laid before the monthly General Meeting for their information.

18. That the Treasurer in January and July, shall lay before the General Meeting, a statement of the net amount of funds in his hands.

19. That a weekly list of arrivals and departures shall be furnished to each Member of the Association.

20. Any Member withdrawing from the Association, shall have no future claim on the property or funds.

21. All applications for the use of the rooms to hold meetings in, or for other purposes unconnected with the Association, to be made to the Secretary, and laid before the Committee for their decision.

RULES FOR THE READING ROOM.

1. All subscribers must be proposed and seconded before they are admitted.
2. That the subscription to non-residents and others unconnected with the Association, shall be two rupees monthly payable in advance.
3. All partners of Members admitted to the privilege of the Reading Room, on paying two rupees in advance.
4. Assistants to Members of the Association shall be entitled to the privilege of the Reading Room, on paying a monthly subscription of one rupee in advance.
5. That the Reading Room shall be placed under the charge of the Assistant Secretary.
6. All applications to be made to the Secretary in writing.
7. No books or papers shall be allowed to be taken from the rooms, without the sanction of the Master.
8. All subscriptions and expenses to be regulated by the Secretary, and placed to the account of the current fund.
9. No resident Tradesman in Calcutta is eligible to be a subscriber to the Reading Rooms unless he becomes a Member of the Association.

CALCUTTA TRADE ASSOCIATION

SAVINGS' BANK,

TRADES' ROOMS, COURT-HOUSE-STREET, CALCUTTA,

CALCUTTA, JUNE 16, 1832.

Under the Direction of the Managing Committee of the Calcutta Trade Association.

MR. SAMUEL SMITH,	
„ C. S. HADOW,	Trustees.
„ A. ROGERS,	
„ C. S. HADOW,.....	Treasurer.
„ R. S. THOMSON,	Secretary.
„ T. LINCOLN,	Asst. Secretary.

A Savings' Bank is established at the Calcutta Trade Society's Rooms, under the direction and management of the Committee of the Calcutta Trade Association, for the benefit of the Members, their Assistants, Sircars, Workmen and Servants, and no others can, for the present, be entitled to the benefit of depositing money in this Bank.

The Trustees, Treasurer and Secretary of the Trade Association have kindly offered their services as Trustees, Treasurer and Secretary to this Savings' Bank, and will give their best services to improve such Funds as may be deposited.

The Committee meet once a week, when they will also attend to the management of the Savings' Bank, and for the present it will be entirely under their Superintendence,

The Assistant Secretary will be in attendance daily from 10 A. M. to 4 P. M. at the Calcutta Trades' Rooms to receive deposits for which the Treasurer will grant Receipts.

The amount deposited in the SAVINGS' BANK will be profitably and securely invested by the Trustees, so often as the sum in hand shall amount to one thousand rupees.

REGULATIONS.

1. Deposits will be received *daily* from 10 A. M. to 4 P. M., in even sums, not less than one rupee, nor more (altogether) than one hundred rupees, from the same individual during a month.
2. A certain rate of interest, to be fixed by the committee, from time to time, shall be allowed on all Sums deposited at the Bank, as an encouragement to the industrious and prudent to save their surplus profits.
3. No interest shall be allowed for any broken period of one month in which a deposit shall be made or withdrawn.
4. No interest shall be allowed upon any sum that shall be withdrawn within six months from the date on which it was deposited.
5. A deposit can only be withdrawn on the 1st day of any month.
6. The manner of withdrawing a deposit is by returning to the Treasurer his receipt for the same, with a discharge from the Depositor on the back of it.

REGULATIONS AND BYE LAWS
OF
THE CALCUTTA TRADE ASSOCIATION,
ESTABLISHED 5TH JULY, 1830,
AS REVISED IN 1836.

• REGULATIONS.

- I. That this Association be denominated "THE CALCUTTA TRADE ASSOCIATION."
- II. That it do consist of an unlimited number of Merchants, Tradesmen, Artists, and others, who may be disposed to aid in the accomplishment of the objects of this Association,
- III. That the objects of this Association be ;—
 1. To encourage the general adoption of the system of ready money payments which prevails in all other parts of the world, and which enables Tradesmen to sell at lower rates than those of Calcutta can afford to do, from the prevalence of the ruinous system of indiscriminate credit, which has obtained for many years, to the serious injury of the Tradesman and the manifest disadvantage of the Public.
 2. To define the terms of credit, when credit is allowed, and to prescribe measures calculated to ensure payment, and guard against future loss, when the terms of credit are violated,
 3. To encourage a friendly communication amongst persons engaged in business in Calcutta, especially on subjects involving their common interests ; an object which appears to have been, hitherto neglected.
- IV. The officers of the Trade Association are the Master, Past Masters, Senior Warden, Junior Warden, Treasurer, Secretary, &ors, Council and Solicitor.

V. The Master to be elected from the Past Masters and those Members who have served, or may be serving, the offices of Warden. All other office bearers to be elected from the Members generally.

VI. *The election of Master, Wardens and Treasurer to take place by ballot annually at a Special Meeting, to be convened for the purpose on the second Saturday in December. All other officers, when once elected or appointed to hold their offices, until removed by death, resignation, or vote of the Association.*

VII. No Member shall continue in the office of Master or Warden for more than two years in succession, but he may be again elected after he has been out of office one year.

VIII. The Committee of Management to consist of twelve Members in addition to the office bearers, five to be considered a quorum.

IX. Four Members of this Committee shall go out annually by rotation, and the Master shall nominate four, which, with any candidate proposed by a Member, shall be balloted for in their stead.

X. Any Member of the Committee being obliged to leave Calcutta, from sickness or otherwise, on intimating the same to the Master in writing, the Master shall, if required, nominate another Member from the body of the Association to take his place during his absence.

XI. The Committee of Management shall meet every Saturday morning for the despatch of business, their decisions being subject to the approval of the Members at the succeeding quarterly meeting.

XII. The General Quarterly Meetings of the Association to take place the second Saturday in January, April, July, and October.

XIII. The Master shall preside at all meetings, or in his absence the immediate Past Master. In the absence of the immediate Past Master, the oldest Past Master present shall take the chair.

XIV. The Master, or in his absence the Senior Warden, has the right and authority of assembling a Special General Meeting;

the cause of such meeting to be declared in the summons, and no other business to be entered upon.

XV. Special General Meetings may also be called on a requisition to that effect, signed by five Members, and specifying the object of the proposed meeting.

XVI. In any case where the votes are equal, the second or casting vote of the Chair to decide.

XVII. The Master, Past Masters and Wardens in office are the representatives of the Association, and being supposed to speak the sentiments of the Members, or a majority of them, are bound to act upon such resolutions as may be passed in Committee or at General Meetings duly assembled.

XVIII. Applicants for admission as Members of the Association to be proposed and seconded at one Committee Meeting and ballotted for at the next, two black balls to exclude. (For mode of election see Bye Laws, sec. 17.)

XIX. Notice of the ballot to be particularly circulated to the Committee.

XX. The Member who proposes a candidate for admission shall be responsible for his entrance fee.

XXI. Each newly elected Member shall pay an entrance fee of fifty (50) rupees,* towards the Permanent Fund of the Association, and he shall be furnished with a copy of the General Regulations and Bye Laws of the Trade Association, gratis.

XXII. Each Member shall pay a subscription of six† rupees monthly in advance to the Current Fund of the Association.

XXIII. Any Member allowing his bills to remain unpaid beyond three months, shall be liable to have his name erased from the list of Members of the Association.

XXIV. Any Member who shall have been struck off for non-payment of Subscription shall not be again eligible for election except as a new Member, and that not until he pay up the said arrears—when he may make application as a new Member in form and manner above prescribed.

XXV. Any Member desirous of withdrawing from the Association, can have his wish complied with from the end of the current month, upon sending written notice to that effect to the Secretary.

XXVI. Any Member intending to leave Calcutta for a considerable length of time, but to return within two years, shall not be subject to monthly subscription during his absence, and may, if he wishes, be re-admitted to the Association without paying the usual donation, provided that, previous to going away, he has duly intimated his intention to the Secretary, *in writing*.

XXVII. In case of the death, sickness, or absence from Calcutta of the subscribing partner of any Firm, another Member of that Firm, or other person employed by it, shall be allowed, on continuing to pay the monthly subscription, to take his place in the Association, provided he duly intimates his intention of so doing in writing to the Secretary.

XXVIII. All bills or drafts for disbursements shall be signed by the Master before they are paid.

XXIX. The permanent fund of the Association shall be lodged in the Union Bank, in the name of the Master and Treasurer for the time being.

XXX. The accounts of the Association, with an abstract therefrom, shall be laid upon the table at each Quarterly General Meeting.

XXXI. A weekly list of Arrivals and Departures in and from Calcutta shall be furnished to each Member of the Association.

XXXII. Applications for the use of the rooms for meetings or other purposes unconnected with the Association, shall be made to the Master through the Secretary.

XXXIII. It shall be proper for any Member of the Association to apply *personally*, to the Secretary or to the Committee, for any information obtainable on subjects embraced by the declared objects of the Association; and the Committee, and especially the Secretary, are enjoined, as far as practicable, to impart the desired information.

XXXIV. Such part of the Proceedings or Regulations of the Association as to the Committee may seem proper, shall, from

time to time, be published for general information in such newspapers as may be disposed to give gratuitous insertion to the same.

XXXV. These Regulations and the annexed Bye Laws to be binding on all Members ; but to be subject to addition, alteration, or abrogation, by a Majority of two-thirds of the Members.

BYE LAWS

ENACTED FOR THE GUIDANCE OF THE OFFICE BEARERS.

THE MASTER.

1. The Master shall preside at all Meetings of the Association and its Committees.
2. He shall conduct the business thereof, with the aid of his Wardens.
3. He shall be always treated with respect, and his calls to order be promptly attended to.
4. Where the votes are equal he shall have a second or casting vote.
5. He shall, in conformity with the order of Government, sign on behalf of the Members all public documents, and also, when satisfied of their accuracy, affix his signature for confirming the record of proceedings of the Association, and for sanctioning the payment of bills or drafts.
6. He shall nominate the persons to be ballotted for as candidates to serve on the Committee, and in the absence from Calcutta of any Member of the Committee, he shall, if required, appoint a provisional Member instead of the absent Member.

THE PAST MASTERS.

7. In the absence of the Master, the immediate Past Master shall preside at all Meetings, and execute all such duties as pertain

ADDITION MADE TO THE REGULATIONS.

On the 24th of July 1850.

XXXV. In addition to the officers prescribed by Regulation IV, that of Permanent President be revived.

XXXVI. The permanent president shall be a member of the Committee, and Regulation IX, which prescribes the retirement of members by rotation, shall be inoperative as regards the permanent president.

XXXVII. The organization hitherto existing for the government, and management of the Association, and its objects, as laid down in Regulation XIII. is complete and effective; and its powers and duties are in no wise altered, abrogated, or to be controlled by the permanent president.

XXXVIII. The functions of the permanent president are, and shall be, to preside over the political, and social interests of the Association, and its members; and in relation to those interests, he shall represent the Association at all public meetings, and in deputations to government, or other public bodies. In the absence of the permanent president, the master or past master shall preside, as laid down in Regulation XIII.

XXXIX. These regulations, and the bye-laws to be binding on all members; but to be subject to addition, alteration, or abrogation by a majority of two-thirds of the members present, in form and manner specified in the bye-laws, sec. 18.

to the Chair. In the absence of the immediate Past Master, the oldest Past Master present shall preside.

THE SENIOR WARDEN.

8. The Senior Warden shall aid and assist the Master, and in his absence perform all the duties of Master, except that of presiding at meetings, which belongs to the Past Masters. He shall be careful that the Rules and Regulations of the Association are not disregarded.

THE JUNIOR WARDEN.

9. The Junior Warden shall take especial care of the furniture and all the property in the Trade Rooms.

10. He shall act instead of the Senior Warden in all cases when that officer may be ill or absent.

THE TREASURER.

11. The Treasurer shall keep true and faithful accounts of all monies received and paid by him on account of the Association ; he shall be aided in his duties by the Secretary.

THE SECRETARY.

12. The Secretary shall keep a faithful record of all the proceedings of the Society ; receive all communications and submit them to the Master and the Committee, reply to them as instructed, and generally transact such duties as usually belong to Secretaries of similar societies.

13. He shall prepare an abstract of account to be submitted to the General Quarterly Meeting, and also an annual statement of accounts for the Auditors and Treasurer.

AUDITORS.

14. *The Auditors shall examine the accounts previous to each Annual Meeting, or oftener, if ordered.*

LAW OFFICERS.

15. The Standing Counsel and Solicitor of the Trade Association shall be consulted in all legal matters in which the Association may be engaged.

MODE OF ELECTION.

16. The Master, Wardens, and other Officers of this Association shall be elected as follows :

1. The names of those Members eligible by the Regulations to serve as Master shall be read by the Secretary, when Members shall write on a card, or scroll, the name of him whom they prefer for this office. These votes to be collected in the ballot box, and the Auditors to act as Scrutineers, and report the result to the Master, who will proclaim it to the meeting.

2. All Members being eligible for the other Offices of the Association, those present will proceed to ballot for them, severally, in manner prescribed in the preceding paragraph.

3. Proxies from absent Members are admitted, in the election of Officers of the Association, if duly signed by the Member giving them, and addressed to some Member present. If special, the proxies are only available for the person named in it for election ; but if general, the Member to whom the proxy is addressed, may give in favor of the election of any person he desires to support.

17. Subscribing Members of the Association shall be elected as follows :

1. Any person desirous of becoming a Member shall forward his application to the Secretary, who shall lay the same before the Committee at its first Meeting : it shall then lay over until the next Committee Meeting, when, if the individual who desires to join the

Association, shall have been proposed by a Member of the Association, and seconded by another Member, his admission shall be forthwith referred to the ballot, and if elected, he shall be informed thereof by the Secretary.

2. If two or more black balls appear in the ballot box, the candidate shall be deemed ineligible, and information thereof be communicated to him ; but if only one black ball appear, then a fresh ballot shall take place, or the application may stand over until another Meeting, at the discretion of the Committee.

3. A candidate excluded by two black balls, may, if he desires it, be proposed at the next or any subsequent General Meeting, but not at a Committee Meeting, within six months from the date of his rejection.

ALTERATION OF REGULATIONS.

18. These Bye Laws and the General Regulations as provided by Regulation XXXV. being liable to addition, alteration, or abrogation, it is prescribed, in any such event, that—

1. Notice be given to the Committee of the Member proposing any alteration, addition, or abrogation—such notice and its purport to be taken into consideration by the Committee, and by it submitted, with its approval or otherwise, to the next General Meeting—when, if passed, it shall lay over for confirmation at a subsequent General Meeting—if confirmed, it shall then become a Regulation or Bye Law as may be necessary, and be so recorded accordingly in the proceedings of the Meeting, and in the Secretary's Office Copy of the Regulations and Bye Laws.

2. It is competent, in any case arising out of the proceedings of any General Quarterly Meeting, to pass such addition or alteration of a Regulation or Bye Law as it may then and there be deemed proper or necessary—or to propose a new one ; in all such cases, however, the said alteration, addition, or new Regulation or Bye Law, to be subject to confirmation or rejection at the next quarterly or special General Meeting, two-thirds of the votes present being necessary to its confirmation, as provided by Regulation XXXV.

ARBITRATION OF DISPUTED CLAIMS.

CONFIRMED 11TH JULY, 1835.

With a view to the speedy attainment of justice, and also to avoid the expense of proceedings in Courts of Law, it is proposed that the Trade Association authorise their Committee to undertake the arbitration of claims and the Trusteeship of property, assigned for the compromising of debts.

REGULATIONS.

1. The parties, resolved upon appealing to the Committee of the Trade Association to act on their behalf, will send in a written application to that effect, addressed to the Secretary, accompanied by all such documents as may be deemed requisite for enabling the Committee to comprehend the nature of the claims in dispute.
2. Upon receiving the written consent of the Committee to act in the case, the party or parties to execute a bond, which will be supplied, for the purpose of holding those concerned to the award of the Sub-Committee for Arbitration, subject only to an appeal to the General Committee of the Trade Association.
3. Either party, within seven days after the award is given, can appeal from the Committee of Arbitration to the General Committee of the Trade Association, upon payment of double fees. The decision in this case to be final.
4. Scale of costs upon Arbitration—

Application to the Committee.....	Sa. Rs.	5	0	0
Preparing and executing Bond, exclusive of stamp duty	"	5	0	0

5. For the award of all sums below five hundred rupees, the charge will be made by the number of sittings, at 16 rupees for each sitting of the Committee of Arbitration.

6. For the award of any sum above five hundred rupees, charge will be made by per centage on the amount of the sum awarded at the following rates—

7. Of all sums from Sa. Rs. 500 to 1,000 ten per cent.; on all ~~sums~~ Sa. Rs. 1,000 to 10,000 two per cent. in addition to the

commission on the first 1,000 ; on all sums from Sa. Rs. 10,000 upwards one per cent. in addition to the commission on 10,000.

8. Actual surveys, examination or measurement of work or property to form each a separate charge at the usual rates.

9. Sufficient cause must be shown, to the satisfaction of the Committee, in all cases where a postponement is requested, and in such case, for each postponement, the charge will be 16 rupees.

10. In a case where the claim is made for any description of right, and not for an amount of money on the settlement of an account, the charge on the award will be, for each sitting of the Arbitration Committee, 16 rupees.

THE TRUSTEESHIP OF PROPERTY ASSIGNED FOR THE COMPROMISING OF DEBTS.

REGULATIONS.

1. The party or parties concerned will declare in writing their desire for the assignment of property to the Master and Treasurer of the Trade Association, for the time being, stating every condition affecting the disposal of the same, and requesting the Committee to act as assignees on his or their behalf.

2. Scale of costs on the Trusteeship of property.

Secretary's fee on letter of application	Sa. Rs.	5	0	0
Ditto ditto letter of license or agreement.....	,,	5	0	0

Instruments for the conveyance or assignment of property, deeds, law charges, postage, &c. chargeable to the estate.

3. Commission on the property in trust five per cent. on all payments.

4. Upon the Committee of the Trade Association consenting to undertake the trust, a printed form of Schedule and letter of Agreement will be furnished by the Secretary, to be filled up and signed by the parties entering into engagement.

5. The Secretary's fees to be paid at the time of making the first written communication, at which period also parties residing in the Mofussil will forward twenty rupees, to cover postage and other charges that may be incurred by the transmission of the preliminary communication.

A.

To THOMAS PAKENHAM, ESQUIRE,

Private Secretary, Governor General in Council.

SIR,

At a General Meeting of the Calcutta Trade Association, held on the 23rd Instant, a Resolution was unanimously carried, requiring me, as its president, to solicit the patronage of the Right Honorable the Governor General, and to petition His Lordship in Council to allow free postage to a circular letter to be addressed to the principal Civil and Military Servants of His Majesty and the Honorable Company residing in the Mofussil explanatory of the objects of the Association.

In furtherance of the above Resolution, I take the liberty of forwarding the enclosed papers, exhibiting the origin, nature, and objects of the Association—its Regulations, list of Members, &c. for the information of the Right Honorable the Governor General, together with my humble solicitation that His Lordship will peruse the same, and, if he deems the declared objects of the Association deserving his approbation, that he will honor it with his patronage. We seek such pecuniary support as His Lordship may deem proper, and permission for our circular letters (as is usual on such occasions) to pass free of postage at the convenience of the Post Master General.

I have in this address purposely avoided entering into any explanation of the real or supposed merits of the Association, because they are to be found in the enclosures, and I do not wish needlessly to occupy His Lordship's time.

Should His Lordship require any information or explanation which the enclosed papers do not contain, I hope I shall be permitted to supply it in another letter, or in person, should His Lordship be pleased to honor me with an audience.

I beg to subscribe myself, &c.,

(Sd.) S. SMITH,

President, Calcutta Trade Association.

31st August, 1830.

TO THE HONORABLE SIR CHARLES EDWARD GREY,

Chief Justice, &c. &c. &c.

SIR,

At a late General Meeting of the Calcutta Trade Association a Resolution was unanimously carried, requiring me, as its President, to solicit the patronage of the Right Honorable the Governor General and the Honorable the Judges of His Majesty's Supreme Court.

Having already waited on Lord William Bentinck, and been honored with His Lordship's "entire approval and best wishes for its success," together with a donation in aid of its funds, (as will appear by the enclosed copy of a letter from His Lordship's Private Secretary) I now beg to submit for your information, should you deem them deserving, a perusal, the accompanying printed papers, explanatory of the nature and objects of the Calcutta Trade Association, which owes its origin to a suggestion from the Bench, in the case of an Insolvent (J. Cullen) when it was understood that your Lordship recommended the Tradesmen of Calcutta to form themselves into an Association for purposes then stated, and which now form the especial objects of the Calcutta Trade Association.

I refrain, Sir, from occupying too much of your very valuable time by any unnecessary attempts to display the advantages to the Public, as well as to the Tradesmen of Calcutta, which may be expected to follow the establishment of the Calcutta Trade Association, and shall content myself by soliciting permission to wait upon you, should you require any fuller explanation than the accompanying papers afford, or any information not contained in them.

Should you be pleased to honor the Association with your patronage, it will be most gratifying to the members generally, and especially to the individual who has the honor to subscribe himself,

Sir,

Your most obedient humble servant,

(Sd.) S. SMITH,
President.

Calcutta, 3d September, 1830.

Unfortunately, the original replies to these letters cannot be found among the papers of the Association—but from the proceedings of the Committee of the 4th September, at which they were read, it is recorded that they were most satisfactory and approving.

B.

MEMORIAL.

TO THE RIGHT HONORABLE LORD WILLIAM CAVEN-
DISII BENTINCK, G. C. B. GOVERNOR OF
BENGAL, &c. &c. &c.

*The Memorial of the undersigned,
Members of the Calcutta Trade Association,*

RESPECTFULLY SHOWETH,—

I. That this Association was established on the fifth day of July, 1830, in accordance with a public recommendation from the then Chief Justice of Bengal, the Honorable Sir Charles Edward Grey, when sitting as a Commissioner of the Insolvent Court, in the case of Lieutenant James Cullen, of the Regiment of Artillery, on which occasion his Honor expressed himself as follows: “I would advise the Tradesmen of Calcutta to form themselves into an Association, and to investigate the means of those to whom they may give credit, and to employ some person to watch the proceedings of all cases through the Insolvent Court.”

II. That the meeting at which this Association was established, in accordance with the advice above quoted, was an open public assembly of Tradesmen of Calcutta, convened by circular letter and by advertisement in all the Calcutta newspapers; and that it was attended by all, or nearly all, the persons above described, and many others who took no part in the proceedings of the meeting.

III. That the proceedings of this meeting, which embrace the declared objects of the Association, were also published and com-

mented on in all the Calcutta newspapers, and were afterwards printed and circulated to your Lordship, to the Honorable the Members of the Supreme Council, to the Honorable the Judges of the Supreme Court, to the principal Civil and Military Servants of the Honorable East India Company, and to the Merchants and Tradesmen of Calcutta—a copy of this document, marked A, is annexed for your Lordship's information.

IV. That the proceedings and declared objects of this Association were honored with the approval and patronage of your Lordship and of the Honorable the Judges of His Majesty's Supreme Court of Judicature;—that your Lordship was also pleased to grant a large donation in aid to the fund established for the furtherance of the objects of this Association, to which, also, the principal houses of business, Agents, Merchants and Tradesmen—and one gentleman of the legal profession, liberally contributed, as will appear by the annexed document marked B, which also affords a list of the original Members of the Association, the number of which has, since its establishment, considerably increased, as your Lordship will perceive by the signatures attached to this memorial.

V. That the original objects of this Association were as follows:

1. To encourage the adoption of the system of ready-money payments which prevails in all other parts of the world, and which enables the Tradesman to sell at lower rates than those of Calcutta can afford to do, from the prevalence of the ruinous system of indiscriminate credit, which has prevailed for many years, to the injury of the Tradesman, and the manifest disadvantage of the public.

2. To define the terms of credit, when credit is allowed, and to prescribe measures calculated to ensure payment, and to guard against future loss where the terms of that credit are violated.

3. To encourage a friendly communication amongst persons engaged in business in Calcutta, especially on subjects involving their common interests; an object which appears hitherto to have been neglected.

That these objects have been steadfastly and successfully pursued—that much good has resulted therefrom—and that having now

existed as a public body, associated for public purposes, for nearly five years, and having, during that period, assembled regularly every week, and accomplished as much as could be reasonably expected from the unaided exertions of an uninfluential body, the time has arrived, when, if the countenance of Government be afforded, this Association, while it perseveres in its original objects, may advantageously extend its operations to subjects not strictly comprehended within its original design, but connected therewith, and growing out of its position as the only organized body of inhabitants of Calcutta associated for public purposes, not otherwise provided for.

VI. That your memorialists do not desire to meddle with matters that do not concern them; but they respectfully submit that the sphere of their usefulness as Tradesmen of Calcutta,—men who have a deep stake in the welfare of the City, and who are conversant with its capabilities—with the customs and habits, wants and wishes of its permanent inhabitants—would be considerably extended, if the Calcutta Trade Association were recognized as a public body—encouraged to approach your Lordship, when they have reasonable cause so to do, and permitted to address your Lordship and the officers of Government, through their Master and Secretary, on matters coming within, or connected with, the declared objects of the Association, or such other matters as have heretofore been, or may hereafter be, referred to its consideration by the Chief Magistrate or other public functionary of the City, or of the Government.

VII. That your memorialists, having now brought to your Lordship's notice the nature and objects of their Association, beg to state their readiness to submit to your Lordship's inspection the details of their transactions as reported in their Journals, or a summary of them, should your Lordship desire such information—they court inquiry into their acts, which have all had for their object the permanent benefit of the Trades of Calcutta, and equally so of its inhabitants in general—and they further, with a view to extending the sphere of their usefulness, humbly solicit that your Lordship will be pleased to recognize the Calcutta Trade Association as a public body, deserving the countenance of Government; and that your

Lordship will graciously authorize your memorialists, in future, when they desire it, and have sufficient and reasonable cause, to address your Lordship and all public functionaries, through, and under signature of, their Master or Secretary, or either or both of them, as may be necessary or proper, according to circumstances ; and your memorialists, as in duty bound, will always, by their acts, prove themselves to be,

Your Lordship's most faithful and obedient Servants,

A. ROGERS, *Master.*

F. H. BURKINYOUNG.	J. HARROWELL.
S. SMITH.	J. HASTIE.
R. T. THOMSON.	I. JACOBS.
W. TURNER.	G. JESSOP.
W. H. HAMERTON.	H. C. HEMP.
T. ALLARDICE.	J. KYD.
R. CAMPBELL.	A. LAWRIE.
R. J. LATTEY.	J. MACFARLANE.
J. LLEWELYN.	T. MCKELLAR.
J. MONTEITH.	D. NUTHALL.
J. P. PARKER.	T. OSTELL.
W. T. SCOTT.	G. PAGE.
W. THACKER.	P. PALMER.
A. THOMPSON.	T. PALMER.
R. W. ALLAN.	J. PATTEN.
P. ATKINSON.	T. PAYNE.
P. BEGBIE.	RANKEN & Co.
P. DELMAR.	W. W. ROBINSON.
R. DYKES.	G. ROGERS.
F. T. FERGUSON.	W. F. SCHNIEDER.
W. T. GIBBON.	G. SHEARWOOD.
N. GRANT.	SIMPSON & Co.
W. GREENAWAY.	W. H. TWENTYMAN
J. A. GUEST.	A. D. PARKER.

TO MR. A. ROGERS AND MEMBERS OF THE TRADE ASSOCIATION.

GENTLEMEN,

I am directed by the Right Honorable the Governor of Bengal to acknowledge the receipt of your Memorial, soliciting the Government to recognize your Association as a public body, and stating your readiness to submit to his Lordship's inspection the details of your transactions, should his Lordship desire such information, and in reply to state, that the Right Honorable the Governor of Bengal has no desire to inquire into the specific purposes contemplated in your Association, or to inspect the details of your proceedings. As a general rule, however, he thinks it will be expedient that Associations of the description of that formed by the body of Tradesmen and others represented by you, should address the Government ordinarily through their President, Chairman, or Master, or by whatever other title the Member of the body elected to preside at its meetings may be designated.

2d.—His Lordship will be ready to receive communications or explanations on the affairs of the Trade Association through this channel. He is not aware that he has it in his power to give any other recognition or countenance, or that the purposes you have in view can require his further support or assistance.

I am, Gentlemen, your obedient Servant,

H. T. PRINSEP,

Secretary to Government.

Council Chamber,
the 29th December, 1834. }

To H. T. PRINSEP, ESQUIRE,

Secretary to the Government of Bengal,

&c. &c. &c.

SIR,

On the 5th instant I was honored with your Letter dated the 29th ultimo, acknowledging the receipt of a Memorial, bearing the signatures of myself and other Members of the Calcutta Trade Associa-

tion, and informing us that the Right Honorable the Governor of Bengal has no desire to inquire into the specific purposes contemplated in our Association, or to inspect the details of our proceedings.

Your Letter further informs us that "as a general rule, however," his Lordship "thinks it will be expedient that Associations of the description of that formed by the body of Tradesmen and others represented" by us, "should address the Government ordinarily through their President, Chairman, or Master, or by whatever other title the Member of the body elected to preside at its meetings may be designated."

Your Letter concludes by assuring us that "His Lordship will be ready to receive communications or explanations on the affairs of the Trade Association through this channel. He is not, however, aware, that he has it in his power to give any other recognition or countenance, or that the purposes" we "have in view can require his further support or assistance."

Your Letter having been read at the monthly meeting of the Trade Association held on Saturday evening last, the 10th Instant, I am instructed by the Members to request that you will express to the Right Honorable the Governor of Bengal their grateful acknowledgements for his Lordship's gracious acquiescence in the prayer of their Memorial, which solicited the acknowledgment of the Calcutta Trade Association as a public body, and sought permission to address the Government through their presiding Master.

I am requested to add that it is not at all the desire of the Members of the Trade Association to obtrude the details of their transactions upon the notice of Government, nor do they seek any support or assistance in the prosecution of their ordinary objects ; but they deemed it proper when soliciting recognition as a public body, to express their readiness to submit them, if required ; supposing his Lordship the Governor to be unacquainted with their nature, and probably desirous to know, to what objects his countenance had been solicited. In the event of his Lordship's being satisfied of their unobjectionable nature, the Members sought and seek no more than an expression of his Lordship's approbation of their past transactions

and encouragement of their future objects, as expressed in paragraphs V. and VI. of their Memorial—in reference to which I am desired to state that the general and sub-committees of the Trade Association have for several months been engaged in inquiring into the public matters specified in the annexed statement, with a view to bringing them to the notice of the Right Honorable the Governor of Bengal, in order that his Lordship, being possessed of the result of their inquiries, may bestow upon them such consideration, and make such order as his Lordship may deem proper.

I have the honor to be, Sir, your most obedient Servant,

A. ROGERS,

Master of the Calcutta Trade Association.

*Trade Rooms, Calcutta, }
22d January 1835. }*

MEMORANDUM.

Subjects under inquiry and discussion with a view to representing the same to the Right Honorable the Governor of Bengal.

- I. The establishment of a well regulated Meat Bazar, suited to the wants and means of all classes, and conducted solely for their benefit, without any view to private or individual gain.
- II. The state of Vagrancy in Calcutta.
- III. The crowded and dangerous state of the Public Ghauts.
- IV. The state of the Conservancy of Calcutta, and suggestions for its economy and improvement.
- V. The state of the Law of Apprenticeship and the evils resulting therefrom.
- VI. The appointment of a Committee of Trust and Arbitration, with a view to the settlement of contested accounts and compounding of claims on insolvents, so as to avoid legal expenses and public and unnecessary exposure of the private affairs of ~~embe~~ ^{classed} debtors.

VII. The present mode of remittances from the Mofussil, and suggestions for its improvement to be submitted for the sanction of Government.

VIII. The unnecessary delays and inconveniences experienced in the export and import and transit of goods, through the Calcutta Custom House.

TO THE MASTER OF THE TRADE ASSOCIATION.

SIR,

I am directed by the Right Honorable the Governor of Bengal, to acknowledge the receipt of two Letters, dated respectively the 22d and 31st ultimo the first from you to my address stating generally the subjects with the consideration of which the Association were occupied ; and the second, enclosing one, to the address of the Right Honorable the Governor of Bengal, proposing the establishment of a Market in some convenient position on the banks of the river.

2. In reply to both these Letters, I am directed by the Governor of Bengal to state that his Lordship has laid them before the Council of India, whose resolutions on the subject of them are to the following effect —First, in respect to your letter dated 22d ultimo. The suggestions of any intelligent body of the Inhabitants of Calcutta will always deserve, and will receive, the early and earnest attention of the Government, and I am directed to observe that of the subjects mentioned by you to be under consideration, several seem to be specifically matters in respect to which the Government must desire to learn the sentiments of the classes represented by the Trade Association.

3. With respect, however, to the specific propositions and plan submitted in the address of the 31st ultimo, for the establishment of a Market, the Governor General of India in Council concur entirely in regarding it as highly desirable that such a concern should be established, and doubts not that, in the form and under the rules

proposed by the Trade Association, the market would prove a benefit of no ordinary kind to the population of the town: but, his Lordship in Council looks upon all such projects as in the nature of speculations of persons from funds independent of the Public Revenue, and he considers therefore that the Government would not be justified in making any advance from the Treasury in aid of the scheme, howsoever well the ultimate re-payment might seem to be secured.

4. If there be any Public Lands conveniently situated for the intended Market, and not required for any more important public object, his Lordship in Council might be induced to assign them for the purpose, either on rent* or on terms of permanent transfer suitable to the scheme of the proposed establishment, calculated to give encouragement to the undertaking; He is compelled, however, on general principles, to decline extending further aid than this to the project submitted by you in this instance. If, satisfied with the assistance thus tendered, the Trade Association should still determine on the execution of the scheme, and should be able to raise the necessary funds independently of the Government, the Governor General in Council will be prepared to give attention to a renewed application for any suitable ground that may appear to be available, and to consider favorably the tender that may be made for it with reference to the principle above explained.

I am, Sir, your obedient Servant,

H. T. PRINSEP,

Secretary to Government.

*Council Chamber,
the 10th February, 1835. }*

C.**MILITARY COURTS OF REQUESTS**

To G. A. BUSHBY, ESQUIRE,

Secretary to the Supreme Council of India.

SIR,

We have the honor respectfully to state, that having lately had occasion to prefer certain claims against some officers of the Madras Army, before a Military Court of Requests, and having forwarded the usual attested accounts within the prescribed amount, sworn to on affidavit, we were surprised by these documents being returned to us, with an intimation from the Staff Officer of the Force to whom we had applied in two of the instances referred to above, that it had been decided by the Judge Advocate General of the Madras Army, that demands of the nature we had made could not be recognized by the Court "in the absence of the Plaintiffs."

2. We beg to submit, for the consideration and decision of the Supreme Council, the hardship and ~~in~~justice which must arise to us, who have many customers in that quarter, and the trading community of India generally, from the practice which is thus stated to exist under the Madras Presidency, so opposed to the custom and regulation of this Presidency, where the Military Courts have been at all times open, and prompt redress, in most cases, has been afforded to us, without any necessity for our appearance, either in person or by attorney.

3. To show more clearly the practice which prevails under the Bengal Presidency, we beg leave to make the following extracts from a work, which we believe is considered as good authority, Captain W. Hough's *Military Courts*, page 180 :—

" The usual course is to swear the debt before a Magistrate, and such debts are directed to be received by the Court, as if the plaintiff were present (A. G. Letter, No. 752, 22nd May, 1831, 28th April and 24th July, 1830) In Military Courts we receive the do-

cuments as sworn before the Magistrate as evidence without other proof. If defendant did not admit the debt, and thought the signature not a real one, it is very easy to send it to the Magistrate, and ascertain the fact."

4th. We need scarcely add, that to require our attendance would, in the majority of instances, be tantamount to denial of justice; most of the Military Stations being at very long distances from Calcutta, and there being no possibility of engaging an Agent to act in our behalf, at the places where the defendants might be residing.

We have the honor to be,
Sir,

Your most obedient humble servants,
(Signed,) HAMILTON & CO.

Calcutta,
27th May, 1835. }

(No. 445)

To MESSRS. HAMILTON AND CO.

GENTLEMEN,

With reference to your letter under date 27th of May last, to the address of Mr. Secretary Bushby, I am directed to transmit, for your information, the annexed copy of a General Order by his Excellency the Commander-in-Chief at Fort Saint George, dated the 25th July, 1835, by which you will perceive, that the rule at that Presidency, of which you complained, has been so far relaxed, as to admit of a plaintiff suing by attorney before a Military Court of Requests.

I am, Gentlemen,
Your most obedient servant,
(Signed,) W. CASEMENT, COL,
Secy, to the Govt. of India, Milt. Dept.

Council Chamber,
31st Augt. 1835. }

GENERAL ORDERS.

*By his Excellency the Commander-in-Chief.**Head Quarters, Choultry Plain,**25th July, 1835.*

With reference to the Memoranda published in G. O. C. C. 10th February 1835, it is hereby notified for general information, that, in cases where persons having claims are unable to attend, in consequence of residing at a distant station, or from any other sufficient cause, Courts of Requests are competent to admit the prosecution of the suit by any person duly authorized to appear on behalf of the plaintiff.

(A true Copy.)

(Signed,) T. H. S. CONWAY,
Adjt. Genl. of the Army.

(True Copy.)

(Signed,) W. CASEMENT, Col.,
Secy. to the Govt. of India, Milt. Dept.

Compd. (Signed,) J. HART.



To COL. W. CASEMENT, C. B.

Secy. to the Govt. of India, Milt. Dept.

SIR,

We have the honor to acknowledge receipt of your letter of the 31st ult. with the copy annexed of a General Order by His Excellency the Commander-in-Chief at Fort St. George, dated 20th July, 1835.

2nd. Although we feel grateful for the partial relaxation of the rule at that Presidency, which admits of our appearing as plaintiffs by attorney before a Military Court of Requests, yet we respectfully beg leave again to submit to the consideration of Government, the impossibility of recovering our demands from the want of European residents, not in the service of the Honourable Company, at most of the Stations where we have claims pending, and who would be willing and competent to act as our attorneys. We readily admit, that

at Madras and Masulipatam we might be able to obtain the services of an efficient agent to act on our behalf, but at Secundrabad, Kamptie, Samulcotta, Waltair, and several Stations, where single corps are cantoned, such assistance would be altogether impracticable

3rd. We would therefore humbly beg leave to suggest, for the consideration of Government, that, on all occasions when we, or any other Tradesmen under similar circumstances, may be compelled to sue as plaintiffs before a Military Court of Requests under the Madras Presidency, that the Deputy Judge Advocate General of the Division, or the District or Station Staff, as the case may be, should be empowered to appear and sue on our behalf in like manner as the first named of these officers is accustomed to appear on the part of Government in the case of General Courts Martial.

We have the honor to be,

Sir,

Your most obedient humble servants,

(Signed,) HAMILTON & CO.

Calcutta,
7th Sept. 1835. }

To MAJOR P. CRAIGIE, 38TH N. I.

Deputy Adjutant General of the Army.

SIR,

I have the honor, under instructions from the Committee of the Calcutta Trade Association, to solicit the favor of your obliging the Committee with a copy of the Circular letter issued from your office on the subject of the admission of affidavits of debt at Military Courts of Requests, for the information of the Members of the Association.

I am, Sir,

Your obedient servant,

(Signed,) JOHN MULLER.

Calcutta, [Redacted] Rooms, }
the 1841. }

(31)

(No. 2452.)

*Adjutant General's Office, Head Quarters, Camp,
Delhi, 27th December, 1841.*

SIR,

I am directed by His Excellency the Commander-in-Chief to acknowledge the receipt of your letter of the 11th instant, conveying the request of the Committee of the Calcutta Trade Association to be furnished with a copy of the Circular letter issued from this office, on the subject of the admission of affidavits of debt at Military Courts of Requests, and in reply to inform you, that it does not appear that any Circular on the subject was ever promulgated.

A decision to the effect mentioned by you was, it is believed, passed in the month of August 1831, but the correspondence of that period is not at present at Head Quarters ; it has however been called for, and I shall hereafter be required to address you on the matter

I have the honor to be,

Sir,

Your obedient servant,

(Signed,) P. CRAIGIE, MAJOR,

Deputy Adjutant General of the Army.

*To the Secretary to the }
Calcutta Trade Association. }*

(No. 106)

*Adjutant General's Office, Head Quarters, Camp,
Kurnaul, 18th January, 1842.*

SIR,

With reference to the letter addressed to you from this Department on the 27th ultimo, No. 2452, I am directed by His Excellency the Commander-in-Chief to state, that he has had before him the correspondence which took place in 1831, in the course of which a decision was given, by the then Commander-in-Chief, in favor of the admission of affidavits of debt before Military Courts of Requests.

His Excellency has likewise had under his consideration the opinion of Counsel on the matter, and as that is opposed to their admission, the Commander-in-Chief is induced to decline to forward a copy of a letter containing a decision, now deemed to have been based on an erroneous construction of an opinion of a former Advocate General.

I am, Sir,

Your obedient servant,

(Signed,) J. R. LUMLEY, M. GENERAL,
Adjutant General of the Army.

*To the Secretary to the
Calcutta Trade Association.* }

A. G. CIRCULAR No. 1547, 15TH JULY, 1844.

SIR,

A question having been raised with respect to the legality, or otherwise, of admitting the affidavit of a plaintiff before a Court of Requests as sufficient evidence of the claim being just, I have the honor, by direction of His Excellency the Commander-in-Chief, to inform you, for the guidance of Courts of Requests held at stations within the division under your command, that it is the opinion of some of the first law authorities in India,* that the affidavit of a plaintiff not on the spot, is inadmissible as evidence of the truth of his claim.

(Signed,) J. R. LUMLEY, M. GENERAL,
Adjutant General of the Army.

(True Copy.)

REMARKS BY HIS EXCELLENCY THE COMMANDER-IN-CHIEF ON A COURT MARTIAL HELD AT POONA, ON THE 29TH AUG. 1836, ON LT. AND REV. CAPT. G. MACKENZIE.

In the course of the defendant's address to the Court, doctrines are put prominently forward, which (having also been advanced else-

* Sir Edward Peel, Chief Justice; Sir Thomas Turton, late Advocate General, and Lt. Col. Birch, Judge Advocate General of the Army.

where) the Commander-in-Chief in India deems it necessary to remark upon.

The defendant says, that the charges against him were "founded on an unprecedented and uncalled for inquisition into his private affairs ; unwarranted by the usages and regulations of His Majesty's Service," and further, that so common an occurrence as an Officer running into debt cannot "possibly be the proper subject of a Military Charge ;" and he adds, that "the conduct of an Officer in private life, is most certainly *not* subject to control or Military jurisdiction."

It is to be hoped, that such opinions as these are not very current amongst the Officers of the Army in India : but, nevertheless, the Commander-in-Chief thinks it would be wrong to permit such sentiments to be advanced, without condemning them ; and calling to the recollection of Officers, that *every* act which is unbecoming the character of an Officer and a Gentleman, is "a proper subject of a Military charge." He is much mistaken who deems that he may run into debt beyond his means for making re-payment, and may leave his Station while under such circumstances, and thus occasion his own name, and that of the regiment to which he belongs, to become topics for scandal and reprobation, without his becoming fully amenable to Military jurisdiction, and liable to punishment for such conduct.

By order of the Commander-in-Chief,

R. TORRENS, COL.,

Adjt. Genl. H. M. Forces in India.

Allahabad,
2nd Nov. 1836. }

GENERAL ORDERS BY HIS EXCELLENCY

THE

RIGHT HONORABLE THE COMMANDER-IN-CHIEF,

Head Quarters, Simla, January 1, 1848.

REVISED RULES.

FOR

MILITARY COURTS OF REQUESTS.

His Excellency the Right Honorable the Commander-in-Chief having had many instances of irregular procedure of Courts of Requests brought to his notice, and complaints from Plaintiffs that unnecessary impediments had been thrown in the way of their recovering debts justly due to them, has deemed it expedient that inconvenient or erroneous modes of practice should be corrected, and uniformity of system established, with which all concerned may be acquainted. His Lordship accordingly has been pleased to direct the substance of the circular letter from the Adjutant General's Office of the 1st of May, 1829, laying down rules for such Courts, to be embodied in a General Order, together with such further detailed instructions on the subject as circumstances have shown to be necessary. The following Rules are to be considered as Standing Orders, and any orders or instructions at variance with them are hereby cancelled.

EUROPEAN COURTS OF REQUESTS.

1. European Courts of Requests will assemble at the different stations of the army on the 5th of every month, or should that fall on a Sunday, on the following day, before which Courts, actions of debt and all personal actions not exceeding in amount the sum specified in section 54 of the Act 3d and 4th Victoria, C. 37, and against

the parties coming within the description of persons indicated in that section, or made amenable thereto, may be prosecuted. The above cited section is in the following words :

“ And be it enacted, that in all places where the said Company’s forces now are, or may be employed, or where any body of Her Majesty’s forces may be serving with the forces of the said Company, situate beyond the jurisdiction of the Courts of Requests, established at the cities of Calcutta, Madras, and Bombay, respectively, actions of debt, and all personal actions against Officers, all persons licensed to act as sutlers to any corps or detachment, or at any station or cantonment, all persons resident within the limits of a military cantonment, or other persons amenable to the provisions of this Act, shall be cognizable before a Court of Requests composed of military officers, and not elsewhere, provided the value in question shall not exceed four hundred Company’s Rupees, and that the defendant was a person of the above description when the cause of action arose, which Court the commanding Officer of any station or cantonment is hereby authorized and empowered to convene ; and the said Court shall, in all practicable cases, consist of five commissioned Officers, and in no instance of less than three ; and the President thereof shall, in all practicable cases, be a Field Officer, and in no case be under the rank of a Captain, and every Member having served five years as a commissioned Officer ; and the President and Members assisting at any such Court, before any proceedings to be had before it, shall take the following oath upon the Holy Evangelists, which oath shall be administered by the President of the Court to the other Members thereof, and to the President by any Member, having first taken the oath, (that is to say) :

“ *I—swear, that I will duly administer justice according to the evidence in the matters that shall be brought before me. So help me God.*”

“ And every witness before any such Court shall be examined on oath, which such Courts are hereby authorized to administer, or if Natives of the East Indies on oath or solemn declaration, as the

circumstances of the case may require ; and it shall be competent for such Courts, upon finding any debt or damage due, either to award execution thereof generally, or to direct that the whole, or any part thereof, shall be stopped and paid over to the creditor out of any pay or public money which may be coming to the debtor in the current or any future month, or to be paid by instalments on sufficient security ; and in case the execution shall be awarded generally, the debt, if not paid forthwith, shall be levied by seizure and public sale of such of the debtor's goods as may be found within the camp, garrison, or cantonment, under a written order of the commanding Officer, grounded on the judgment of the Court ; and the goods of the debtor, if found within the limits of the Company's garrison or cantonment, to which the debtor shall belong at any subsequent time, shall be liable to be seized and sold in satisfaction of any remainder of such debt or damages ; and if sufficient goods shall not be found within the limits of the camp, garrison, or cantonment, then any public money, or any sum not exceeding the half pay accruing to the debtor, shall be stopped in liquidation of such debt or damage ; and if such debtor shall not receive pay as an Officer, or from any public department, but be a sutler, servant, or follower, he shall be arrested by like order of the commanding Officer, and imprisoned in some convenient place within the military boundaries for the space of two months, unless the debt be sooner paid."

2. Proclamation is to be made through all the bazars at noon on the last day of each month, of the time and place where the next European Court of Requests will assemble.

3. All claims are to be preferred in writing, and delivered to the station Staff Officer on or before the 1st of the month. The statements will also specify the residence of the Plaintiff and Defendant, and the witnesses who will prove the claim. Claims by Plaintiffs at the station, delivered at the station Staff office after the 1st of the month, cannot be submitted to the Court of Requests until the following month.

4. These claims are to be entered in a schedule in the order of their being received by the station Staff Officer, according to the form

in Appendix A, which schedule is to be sent on the following day to Adjutants of corps or heads of departments. These Officers are required to make a note of the particulars of the claims against each individual of their respective corps or establishments, certifying that they have done so on the back of the schedule. They will then be held responsible that the Defendants are duly summoned, and are required to forward to the station Staff Officer acknowledgements from the Defendants of their having been summoned, and of having had two days' notice. Defendants who satisfy Plaintiffs, are required to certify the same in writing to the station Staff Officer, before the day appointed for the meeting of the Court.

5. It is not competent to the station Staff Officer to refuse to register any claim, nor can the commanding Officer of the station interfere and prevent the institution of any suit, except it be against an European non-commissioned Officer or soldier serving with a regiment.

6. In all practicable cases, a field Officer is to be detailed as President of such Court, and Captains and Subalterns of not less than five years' standing as Members.

7. When the Plaintiff is a Native, or there are Native witnesses to be examined, a competent Interpreter is to be in attendance.

8. European non-commissioned Officers and soldiers with corps are not considered amenable to Courts of Requests ; but if in extra regimental employ, and receiving pay from any public department, they are considered to be amenable.

9. Persons of European descent (not being Her Majesty's natural born subjects, born in Europe, or the children of such subjects,) serving with the Native army, are considered amenable to European Courts of Requests.

10. Persons amenable to Courts of Requests who may reside at the station, but without the limits of the military cantonment, are subject to the jurisdiction of such Courts held within such cantonment.

11. Persons not amenable to the Articles of War, although residing within a military cantonment, are not subject to the jurisdic-

tion of Courts of Requests under the provisions of section 51 of the Act 3d and 4th Victoria, C. 37. But European or East Indian traders and non-military persons employed in Offices or in the department of public works, residing within cantonments, who do not fully acknowledge the jurisdiction of a Court of Requests in all cases of petty debt within the amount fixed by the above cited section, may be directed by the commanding Officer of the station to quit the limits of cantonments forthwith, (a report of the circumstance being promptly made for the information of Government).

12. The proceedings of the Court are to be conducted with due care, and to be recorded in the manner set forth in the form in Appendix B, and on being closed they are to be forwarded to the commanding Officer of the station, for publication in station orders.

13. The Court having met, the Members and President are to be duly sworn according to the form given in the section of the Mutiny Act inserted above. The Interpreter (if any) is to be sworn in the following words, taken from the form of oath for Interpreters at European Courts Martial; viz :—

“ I swear, that I will faithfully interpret and translate in all cases in which I shall be called on to do so. So help me God.”

14. Section 1 of this General Order is then to be read, and the schedule, the written statements of the Plaintiffs' and the Defendants' acknowledgments of having been warned, being laid upon the table, the cases are to be called on in the order of their entry in the schedule.

15. If the Plaintiff, being resident at the station where the Court sits, fails to attend personally, or by representatives, to support his claim, or if the Defendant having been duly warned, fails to attend to defend the suit, the Court may proceed to the termination of the suit in the presence of the party who does attend.

16. Should neither party be in attendance, the Court will record a “ nonsuit.”

17. If the Plaintiff and Defendant are both in Court, the Court enquires of the Plaintiff (*not upon oath*) what the nature of his

demand is, and on this being stated, interrogates the Defendant (*not upon oath*) as to whether he admits the debt, and acquiesces in the statement or not. This preliminary examination of the parties is to be conducted by the Court to such extent as may appear to be desirable, and it is to be remembered that such declarations as either party may make *against his own interest*, although not on oath, are good evidence against himself.

18. Should the Defendant acknowledge the debt, a decree is then passed and recorded accordingly ; and the Court proceeds to the next case.

19. Should the Defendant deny the debt, the Plaintiff should be called upon for his proofs, and his witnesses are to be examined on oath or affirmation by the Court, and subjected to cross-examination by the Defendant ; but their evidence need not be recorded. When documentary evidence is produced, the handwriting is to be proved on oath or affirmation, by some competent person.

20. The defendant is then in like manner called upon for his evidence ; the witnesses being subjected to the cross-examination of the Plaintiff.

21. It is competent to the Court to examine either or both the parties on oath. If either party refuse to be sworn and give evidence, such refusal may be deemed tantamount to a confession against himself, and judgment may be passed and recorded against him accordingly.

22. The affidavit of a Plaintiff at a distance, is inadmissible as proof of his claim.

23. A *Plaintiff at a distance* should forward to the station Staff Officer his vouchers, receipts, or other documentary evidence in support of his claim attached to the statement required by rule 3 ; and the station Staff officer will summon the Adjutant of the Defendant's corps, or other competent person, to attend the Court to depose to the handwriting. When the handwriting in the vouchers, &c., is proved, the burthen of proof of payment, or other circumstance to rebut the claim, rests with the Defendant ; or the Court may proceed under rule 21.

24. The Court decides by a majority of voices according to the evidence before it, and the decision is entered on the record ; special attention being given, in the event of finding any debt or damage due, to the provisions of the above quoted section of 3d and 4th Victoria, C. 37, and to the mode of proceeding therein prescribed.

25. An European Court of Requests cannot in any case decide suits touching property in land or houses, neither can such be seized and sold in satisfaction of its decrees.

26. The Court cannot enter into a claim beyond passing its decision on the sum sued for. It must decide whether the claim be or be not substantiated in part or in full.

27. The Court is to be most particularly careful in wording their awards. A decree against a Plaintiff should be framed according to circumstances, either as " Verdict for the Defendant," or " Plaintiff Nonsuited." The first prevents any subsequent revival of the claim, the second permits the institution of another suit. The misuse of these terms may be very unjust to the party ; the former is to be applied to cases where the claim is unjust and false, the latter when the evidence is insufficient only, and it is evident or reasonable to conclude that it may be completely adduced on some subsequent occasion.

28. The Court is competent to weigh the inconvenience a master is put to by the desertion of a servant, against the claim of such servant for wages, and to make a deduction from the claim in proportion.

29. The Court has no criminal jurisdiction, and is not authorized to investigate cases of maltreatment; except when a servant sues for his wages, and assigns that reason for having quitted service.

30. It is competent to the Court to make deductions from wages when sued for in such Court, for articles proved to have been wilfully injured, or lost, or damaged, through the negligence of the Plaintiff.

31. A Plaintiff cannot divide a claim exceeding four hundred Rupees, so as to make two or more portions, each not in excess to that sum, and sue for each portion as a separate debt, at the same or different Courts of Requests.

32. A Plaintiff may commence a suit for a debt exceeding four hundred Rupees in amount, provided he agrees to limit his demand to that sum, and to release and quit claim to the surplus of the said debt in excess to that sum.

33. Interest cannot be allowed upon shop bills or simple contract debts, unless a balance has been struck and a time fixed for payment, or unless there has been a special agreement between the parties that interest shall be charged from a given day.

34. When a Defendant shows his inability to make immediate payment subsequently in one sum, it will in most cases be for the interest of both parties instead of awarding execution generally, to take security for the Defendant's payment by reasonable instalments.

35. Courts of Requests are to take notice of the Act 21st, James I., C. 16, (commonly known as " Statute of Limitation") and to reject any claims that may prove to be of more than six years' standing, unless it shall be satisfactorily established that the Defendant has made a direct promise to pay within six years of the institution of the suit.

36. Courts of Requests may reject all suits when the claims are made for immoral considerations.

37. In the event of a commanding Officer of a station being aware of an error or omission in the proceedings of an European Court of Requests, which would vitiate its award, he may point it out, and the Court may, without impropriety, receive any suggestion of this nature and correct the error. But such commanding Officer has no authority to call upon the Court to record the evidence, or to assign a reason for any verdict, or to direct a revision, because he disapproves of any award. The judgment of an European Court of Requests is final, and a commanding Officer can neither disapprove of its award, or refuse to carry it into execution, if legal, in itself.

38. If an European Court of Requests err in the mode by which it directs its award to be carried into effect, and order the amount decreed to be paid by monthly instalments, without taking sufficient security, or order stoppage from a person not in the receipt of public pay, it is competent for the commanding Officer of the station to

return the proceedings, and the Court will correct the mistake committed. In the event of its having been dissolved, it is competent for him to direct the trial to commence *de novo* before another Court, the award of the former Court being null. As the commanding Officer has no power to act, but under the decree of the Court, and that decree being vitiated by the error, he cannot proceed to levy the sum awarded by the seizure and sale of the party's goods, or to imprison the debtor.

39. Before proceeding to seize and sell a Defendant's goods under an award of execution general, it is requisite that he be called upon to pay the amount of the decree.

40. Sums awarded, if not immediately paid in Court, are to be collected by the station Staff Officer, and disbursed by him to the claimants, in the order of the suits having been instituted; entering the same in the column set apart for the purpose in the proceedings of the Court before which the case may have been heard.

41. The proceedings of Courts of Requests are to be carefully preserved, and to be bound up together at the end of the year. The receipts of Plaintiffs are to be filed and preserved.

A.

List of claims lodged at the Brigade office at _____ for investigation before the European (or Native) Court of Requests, to be assembled at the mess house of the _____ at _____ o'clock A. M. on the 5th of _____ 1844.

<i>Defendants.</i>		<i>Plaintiffs.</i>	<i>Amount.</i>	<i>On what account.</i>
<i>Corps.</i>	<i>Rank and Names.</i>			

(Signed) A. B.
Major of Brigade.

B.

FORM OF THE PROCEEDINGS OF AN EUROPEAN COURT OF REQUESTS.

Proceedings of the European Court of Requests assembled at _____ on the 5th day of _____ 184—.

Lieutenant Colonel A. B. —— regiment

Captain C. D., Her Majesty's —— dragoons, } Members. { Captain E. F. —— regiment of native infantry.

Lieutenant G. H. —— regiment of light cavalry, } Members. { Lieutenant J. K. —— regiment of native infantry.

The President, Members, and Interpreter (if any) being all present in Court, are duly sworn. General Orders by the Commander-in-Chief, dated the 1st of January, 1843, Section 1, are read. The Court proceeds to investigate the following cases :

NAMES AND OCCUPATIONS OF The Complainants.	The Defendants,	On what account,	AWARDS OF THE COURT.		
			Amount of sums & properties judged for in Court.	That the sums specified be paid by the Defendants in each case, in failure of which the Defendants in the same shall be recd. each case, by the Plaintiff & Defendant are present in Court.	That the sums specified be paid by the Defendants in each case forthwith, in failure of which the Defendants in the same shall be recd. each case, by the Plaintiff & Defendant are present in Court.
1 Sevbuons, (Sir- dar Beaver,) }	Lient. A. B. —— regt. N. I.	10 12 6 { Arrears of wages,	Both parties present,	Rs. 9-8-0, from pay for the current month	Paid in Court.
2 Shauk Ram- jaun, (Khid- mugar,)	Lient. C. D. —— regt. L. O.	50 0 0 Table expense, Ditto ditto,	{ Verdict for the Defendant. The Court considers this to be a false and vexatious claim.		
3 Hoosain Ally, } (Carpenter,) }	Lient. E. F. —— artillery,	25 6 0 Work done, ...	{ Plaintiff pre- sent, Defendant absent, { thd' duly warned, }	Rs. 25-8-0, from pay for the current month	Paid in full —th of 184—.

(Sd.) A. B., *Brij. Major.*

NAMES AND OCCUPATIONS OF Witnesses of the Case.		AWARD OF THE COURT.	
<i>The Complainants.</i>	<i>The Defendants.</i>		
Amount of sums sued for in Court.	On what account.	Whether or not Plaintiff & Defendant are present in Court.	That the sums specified in each case for which the Plaintiff, in each case paid by the Plaintiff in each case, shall be recovered by the public monthly, interest of their goods specified, on that amount, on the security specified, or by deduction of the Officer commissions from paying mounting the sum in question.
			That the sums specified in each case for which the Plaintiff, in each case paid by the Plaintiff in each case, shall be recovered by the public monthly, interest of their goods specified, on that amount, on the security specified, or by deduction of the Officer commissions from paying mounting the sum in question.
9 R. S. and Co., (Calcutta, ...)	Lieut. T. U.— horse arty...	Goods sold, ...	That the sums specified in each case for which the Plaintiff, in each case paid by the Plaintiff in each case, shall be recovered by the public monthly, interest of their goods specified, on that amount, on the security specified, or by deduction of the Officer commissions from paying mounting the sum in question.
10 X. Y. and Co., (Calcutta, ...)	Capt. Z. A.— regt. N. I...	Money lent, ...	That the sums specified in each case for which the Plaintiff, in each case paid by the Plaintiff in each case, shall be recovered by the public monthly, interest of their goods specified, on that amount, on the security specified, or by deduction of the Officer commissions from paying mounting the sum in question.
11 B. C. (Merchant, ...)	Ensign D. E.— H. M. I.—regt.	Goods sold, ...	That the sums specified in each case for which the Plaintiff, in each case paid by the Plaintiff in each case, shall be recovered by the public monthly, interest of their goods specified, on that amount, on the security specified, or by deduction of the Officer commissions from paying mounting the sum in question.

The witnesses examined on the above cases gave their evidence upon oath.

(Signed) A. B., *Lieut. Colonel, President.*
(Extra sheets to be prepared on purpose to attach to this in the event of their being required.)

D.

TO THE RIGHT HONOURABLE LORD WILLIAM CAVENDISH BENTINCK,
G. C. B. GOVERNOR GENERAL OF BRITISH INDIA.

MY LORD,

We the undersigned, Merchants, Tradesmen and others inhabitants of Calcutta, beg most respectfully to approach your lordship with a representation of the hardships and grievances we labour under, in respect to the present system of levying postages on Letters and Bhangy parcels to the moffussil.

According to the existing regulation of the General Post Office, no letters or parcels to the moffusil are received for despatch without first paying the postage in advance.

This is the grievance we humbly beg to submit to the notice of your Lordship, as one that presses more or less on the whole community of Calcutta, and with peculiar severity on those engaged in Trade, or who carry on an extensive daily correspondence, and who are obliged to have recourse to the public Bhangy to convey heavy parcels to distant constituents, inasmuch as they are obliged to pay down considerable sums of ready money, which become book debts, not bearing either profit or interest, and which in many cases form principal items in their bills.

It will readily occur to your Lordship, with reference to rates of Postages and Bhangy hire, that many are necessitated to disburse very large sums, in some cases to the extent of several hundreds of rupees, on a Bhangy day, and when it is considered that such advances are not of unfrequent occurrence, the hardship of being kept out of such sums of monies for considerable periods, will at once be apparent ; and it frequently happens that the Bhangy postage is more than the value of the parcel.

We therefore earnestly and humbly solicit that your Lordship will take these circumstances into consideration, and place the Post Office on a similar footing as in England, where letters and parcels are allowed to be sent *bearing Postage*, the same being payable by the party receiving them.

Clauses 8 and 9 of the Post Office regulations (quoted in the

margin for ready reference) provide amply, we submit, against any defalcation in the public revenue.

Should it be urged that occasional losses must be inevitable from parties intermediately quitting Calcutta, or from other contingencies, and that the altered system we pray for may entail additional trouble or expense, we respectfully submit, that all these objections will be more than met by the advantages accruing from an increased correspondence, which it is natural to expect will arise out of the facilities the new system would create, it being a well known fact that the present demand of Postage, acts as a serious hindrance to any extended correspondence.

By an order issued by the Post Master General on the 11th inst. the rates of Postage have again been raised to the old standard of 1830, which, we respectfully submit, is an additional reason for your Lordship's consideration of the hardships under which we labour, and which, from the present depressed state of Trade, are severely felt, not by a few, but by all the Tradesmen, and many of the other Inhabitants of Calcutta.

We feel confident this grievance has only to be brought to your Lordship's notice to be remedied, and we fully believe when these draw-backs upon Correspondence are taken off, a great increase in the Public Revenue will be the result.

The Signatures attached to this memorial will, we humbly hope, testify to your Lordship that the evils complained of are not IMAGINARY ; we have long and patiently suffered under the operation of the evils we complain of, and find ourselves at length compelled by circumstances, to appeal to your Lordship's consideration for the protection of our interests.

We have the honor to subscribe ourselves,
Your Lordship's most obedient and humble servants,

ALEXANDER & Co.

FERGUSSON & Co.

MACINTYRE & Co.

CRUTTENDEN & Co.

BOYD, BEEBY & Co.

BRUCE, SHAND & Co.

BAGSHAW & Co.

COCKERELL & Co.

GISBORNE & Co.

LYALL MATHESON & Co.

BRIGHTMAN & Co.	J. J. FLEURY.
J. BURKINYOUNG & Co.	JESSOP & Co.
HAMILTON & Co.	WATSON & Co.
MIDDLETON & Co.	McKENZIE, LYALL & Co.
R. SCOTT THOMSON.	JAMIESON & Co.
W. TURNER.	OSWALD GLASGOW & Co.
ANDREW & Co.	E. MACINTOSH & Co.
PITTAR & Co.	TULLOH & Co.
FRITH GORDON & Co.	BATHGATE & Co.
W. GREENAWAY.	D. McDONALD. & Co.
D. MILLS.	E. GRAY.
TWENTYMAN & Co.	J. J. CRANE & Co.
SMITHISON HOLDSWORTH & Co.	CHALCRAFT & Co.
BEGBEE & NAVIN.	BURN & Co.
J. HOLMES.	MATHEW & Co.
MALCOLM BUCHANAN & Co.	KYD & Co.
R. EGLINTON & Co.	T. W. ROBERTS.
MULLER RITCHIE & Co.	P. AUGIER.
PRESGRAVE & Co.	P. MONIET.
B. RITCHARDS.	W. WALLIS.
T. OSTELL.	J. MONTEITH.
E. NOSKY & Co.	J. LLEWELLYN.
STEWART & Co.	W. BELL & Co.
RANKIN & Co.	M. COLLIER.
LEYBURN & Co.	W. W. ROBINSON.
WATTS & Co.	J. P. PARKER.
CURRIE & Co.	W. STORM.
GIBSON MCKELLER & Co.	SAMUEL SMITH & Co.
G. SHEARWOOD.	WALKER ROUSSUC & Co.
McFARLANE & Co.	WILLIS & EARLE.
D. METHOLD.	A. & G. APCAR.
WATKINS CLIFF & Co.	AGABEG & Co.
P. GRANT.	THOS DESOUZA & Co.
DYKES & Co.	ANDERSON WALLACE & Co.
MANTON & Co.	

To MR. F. H. BURKIN YOUNG,

And other Merchants and Tradesmen of Calcutta.

GENTLEMEN,

I am directed by the Vice President in Council to acknowledge the receipt of your Letter dated the 31st May last, submitting at the request of the Merchants and Tradesmen of Calcutta, a representation of the difficulties they labour under, in consequence of the present system of levying Postage in advance, on Letters and Bhangy parcels conveyed into the Moffusil by the public Mails and establishments, and in reply, to state that the Governor General and the Vice President in Council, having given to the subject very mature consideration, concur in regretting their inability to adopt the change solicited by you, consistently with the safety of the public Revenue derivable from this source, and the punctual performance of the duties of the Post Office establishment.

I am, Gentlemen,

Your obedient servant,

II. T. PRINSEP,

Secy. to the Govt.

Council Chamber,
the 7th August, 1832. }

To LT. T. J. TAYLOR,

Secretary to the Post Office Committee.

SIR,

Being fully impressed with the conviction that a representation of existing evils in any of the branches for which your Committee has been constituted, will, when respectfully represented, meet with due consideration, I am instructed by the Trade Association to submit through you, a representation of the hardships and grievances the community labor under in respect to the present mode of levying postages in Calcutta on letters and Bhangy parcels to the moffusil.

According to the existing regulations of the General Post Office,

letters or parcels to the moffusil are not received for despatch, without first paying the postage in advance.

This is a grievance, the Trade association humbly submit to the notice of your Committee, as one that presses more or less on the whole community of Calcutta, and especially operating with undue severity on those engaged in Trade, or who carry on an extensive daily correspondence. These parties are obliged to have recourse to the Public Bhangy to convey heavy parcels to distant constituents, and in accordance with the present existing regulation must pay down considerable sums of ready money which become book-debts, bearing neither interest or profit, and which in many cases form principal items in their bills.

It will readily occur to your Committee, with reference to rates of Postages and Bhangy hire, that many are necessitated to disburse very large amounts, in some cases to the extent of several hundred Rupees, on a Bhangy day; and when it is considered that advances of this nature are not of unfrequent occurrence, the hardship of being kept out of such sums for indefinite periods must at once be apparent, nay it frequently happens that the Bhangy postage amounts to more than the value of the parcel.

The Trade Association earnestly and respectfully solicit, that your Committee will take these circumstances into consideration, and recommend that, that portion of the Post Office regulations be placed on a similar footing to those adopted in England, where letters and parcels are allowed to be forwarded bearing Postage, the same being payable by the party receiving them.

The annexed transcript of clauses 8 and 9 of the Post Office regulations provide amply, it is submitted, against any defalcation in the public revenue.

Should it be contended that occasional losses must be inevitable from parties intermediately quitting Calcutta or from other contingencies, and that the altered system may entail additional trouble or expence. The Trade Association respectfully submit that all these objections will be more than compensated by the advantages accruing from an increased correspondence, which it is obvious must arise

out of the facilities the new system would create, it being a well known fact, that the present demand of Postage, operates as a serious hinderance to any extended correspondence.

A late order issuing from the Post Master General raising the rates of postage to the old standard of 1830, will, it is confidently hoped, induce your Committee to recommend such alteration as may relieve the community from so unjust a method of levying postage.

That the evils complained of are not imaginary, your Committee must be aware, although the public have long and patiently suffered them, and the Trade Association in respectfully bringing them to the notice of your Committee feel satisfied that a due consideration of them will not fail to point out the remedy.

I have the honor to be,

Sir,

Your most obedient Servant,

A. ROGERS,

Master.

Trade Rooms,
29th May, 1835.

To C. BEADON Esq.

Commissioner for Post Office Enquiry.

SIR,

I have the honor to acknowledge the receipt of your Circular letter, No. 10, dated the 1st ultimo, forwarding, for reply, a series of questions relating to the Post Office.

2nd. Your letter with its accompaniment was, immediately on receipt, laid before the General Committee of the Trade Association, and a Special Committee appointed to make enquiries and report on the subject.

3rd. The Report of the Special Committee having been received, and approved, I have the pleasure, by direction of the Master and Committee of the Association, to forward it to you in original.

4th. With reference to the proposition contained in the 6th para. of the Report, for appointing Village Postmen, I am instructed to

suggest that the Thanadars of Villages being mostly men of some education might be required to perform the duty of Post Masters.

5th. I am further instructed to state, that the Association will be most happy to answer any other questions, offer any further information in their power, if required ; and aid by all the means at their disposal, in the accomplishment of so desirable an object as Post Office Reform.

I have the honor to be,

Sir,

Your most obedient servant,

J. MULLER,

Secretary.

*Calcutta Trade Rooms,
13, Writers' Buildings,* }
The 16th September, 1850. }

REPORT FROM THE SPECIAL COMMITTEE ON THE
CIRCULAR LETTER OF THE COMMISSIONER
FOR POST OFFICE ENQUIRY,

Members Present.

G. F. REMFREY, in the chair.

F. W. Brown,	—	J. F. Harrison.
R. J. Carbery.	—	W. Watson.

John Muller, *Secretary.*

To C. J. PITTAR, Esq. *Master,*
Calcutta Trade Association.

SIR,

In accordance with the resolution of the General Committee of the Calcutta Trade Association made at the meeting of the 31st of August last, I have now the pleasure to furnish the Report which your Special Committee have deemed advisable to submit for the consideration of the General Committee of the Association.

2. The queries submitted by the Commissioner for Post Office Enquiry were circulated to the members of the Association, and the replies elicited have received the serious and attentive consideration of your Committee.

3. From the absence of data, the queries relating to facts have been found in some cases difficult of reply, and those having reference to the probable result of a change of system have evidently been replied to with caution, and, your Committee believe, kept within the limit of an extreme opinion.

The following is a summary of the replies received :—

Query 1.—What number of letters do you receive by post in the course of the year ?

Answer.—26360. By 15 members.

Q. 2.—What number of letters do you dispatch by post in the course of the year ?

A.—33830. By 16 members.

Q. 3.—What amount of letter and newspaper postage do you pay in the course of the year ?

A.—4375 Rs. By 13 members.

Q. 4.—What amount of banghy-postage do you pay in the course of the year ?

A.—260. By 3 members.

Q. 5.—Do you usually send your letters post-paid or bearing ? State, if you can, the proportion of bearing and post paid letters dispatched by you in the course of a year.

A.—Bearing 19471, }
Paid 4568, } By 12 members.

Q. 6.—Are the letters you receive usually post paid or bearing ? State, if you can, the proportion of bearing and post paid letters received by you in the course of a year.

A.—Bearing 7585, }
Paid 17274, } By 14 members.

Q. 7.—Does it frequently or ever happen that letters dispatched by you bearing postage are rejected unopened, and returned to you for the payment of postage ?

A.—Sometimes. By 9 members.

Frequently. By 5 members.

Never. By 2 members.

Q. 8.—Do the present rates of inland letter postage to distant places interfere with your correspondence ? if so, to what extent ?

A.—They do. By 12 members.

They do not. By 3 members.

Q. 9.—Do they prevent you from sending or receiving letters which you would send or receive if the rates of postage were lower ?

A.—They do. By 11 members.

They do not. By 4 members.

Q. 10.—To what extent do you suppose that the correspondence of persons with whom you may be connected, such as dependents, servants, clients, constituents, and others, is affected by the present rates of inland postage ?

A.—The answers to this are very variable, the highest increase being a quadruple, the lowest no increase at all : but this question is more fully answered in the body of the report.

Q. 11.—To what extent do you suppose that the correspondence of the public generally is affected by them ?

A.—The answers to this are very variable, the highest increase being a quadruple, the lowest no increase at all ; but this question is more fully answered in the body of the report.

Q. 12.—With an uniform rate of inland postage of one anna for every letter not exceeding $\frac{1}{4}$ tolah in weight, without reference to distance, to what extent do you suppose your correspondence would increase ?

A.—Ten fold. By 2 members.

Fourfold. By 1 member.

Double. By 3 members.

Fifty per cent. By 2 members.

One-third more. By 1 member.

Considerable. By 1 member.

Equivalent to Europe. By 2 members.

Very little. By 2 members.

Doubtful. By 2 members.

Cannot say. By 1 member.

This question is dealt with more fully in the body of the report.

Q. 13.—Mention the particular kinds of correspondence that would, in your opinion, be likely to increase in consequence of such a reduction in the rates of inland postage.

A.—All kinds. By 15 members.

Q. 14.—Are you in the habit of advertising in the newspapers ?

A.—Yes. By 12 members.

No. By 2 members.

Seldom. By 2 members.

Q. 15.—Would a reduction in the rates of inland postage affect your practice in that respect ?

A.—Yes. By 6 members.

No. By 5 members.

Probably. By 2 members.

Q. 16.—Would it induce you to send circulars to customers, and to the public, to a greater extent than at present ?

A.—Yes. By 14 members.

No. By 2 members.

Q. 17.—Is your correspondence with Europe affected by the rate of inland postage between Calcutta and Bombay ?

A.—Yes. By 7 members.

Slightly. By 5 members.

No. By 4 members.

Q. 18.—Would you, if that rate were reduced to one anna for each letter not exceeding ½ tollah in weight, write a greater number of letters to Europe via Bombay ?

A.—Yes. By 10 members.

Possibly. By 4 members.

No. By 2 members.

Q. 19.—Would you on the same supposition, write a smaller number of letters by the monthly steamer ?

A.—No. By 11 members.

Possibly. By 3 members.

Yes. By 2 members.

Q. 20.—Would compulsory pre-payment of inland and ship postage in all cases be inconvenient to you?

A.—No not if one anna. By 10 members.

A little. By 2 members,

Yes. By 4 members.

Q. 21.—Would it prevent you from writing letters which you would write if pre-payment continued optional, as at present?

A.—No if one anna. By 10 members.

Possibly. By one member.

Yes. By 5 members.

N. B.—Be so good as to answer the two foregoing questions, *first*, on the supposition that the present rates of inland postage are maintained; *secondly*, on the supposition that an uniform rate of one anna is adopted.

Q. 22.—Would compulsory pre-payment steam postage, both in Europe and in India, be inconvenient to you?

A.—No. By 12 members.

Possibly. By 2 members.

Yes. By 2 members.

Q. 23.—Would it prevent any letters from being written which would be written under the present optional system?

A.—No. By 12 members.

Increase tenfold. By 1 member.

Possibly. By 2 members.

Yes. By one 1 member.

Q. 24.—Would the use of postage stamps, instead of money-payments, be inconvenient to you?

A.—No, a convenience. By 15 members.

Yes. By 1 member.

Q. 25.—It is certain if pre-payment by means of stamps were enforced, much delay would be avoided both in making up the mails for dispatch; and in the delivery of letters from the post office. The public would thus receive their letters sooner, and the post office might be kept open for the receipt of letters to a later hour. Would

not these advantages be sufficient to outweigh any possible inconvenience arising from the enforcement of pre-payment by means of postage stamps?

A.—Yes, but in matters of business a receipt is important. By 12 members.

Q. 26.—If the use of stamps were introduced, might not the present practice of giving a receipt at the post office for every letter posted be discontinued?

A.—Yes. By 2 members.

Think not. By 2 members.

It might. By 1 member.

Questionable. By 1 member.

No. By 6 members.

Doubtful. By 4 members.

Q. 27.—What is the extent of your daily correspondence with parties in Calcutta and its vicinity?

A.—Numerous. By 8 members.

Uncertain. By 4 members.

None through the post. By 4 members.

Q. 28.—Are you in the habit of posting letters at the General Post Office, or at any of the receiving houses, for delivery in Calcutta, or the suburbs?

A.—Very vaguely answered, possibly misunderstood by many, but the general tenor of the answers goes to prove that town letters are sent by peons, and those for the suburbs are occasionally sent through the Post.

Q. 29.—Would you be likely to do so if the number of daily deliveries in Calcutta and its vicinity were increased, and arrangements made for the delivery of letters from 3 to 5 hours after being posted?

A.—Yes, if 6 or 7 deliveries daily. By 11 members.

No. By 5 members.

Q. 30.—If a district post were to be organized on the same footing as in London, to what extent would you be likely to make use of it?

A.—Considerably. By 3 members.

Questionable. By 13 members.

N. B.—In London there are ten deliveries daily, and six deliveries daily, at all places within 3 miles of the General Post Office. There are also from 3 to 5 deliveries daily at all places within 12 miles of the General Post Office.

Q. 31.—Would it be a convenience to the public if there were a larger number of receiving houses in Calcutta and the suburbs ?

A.—Yes. By 8 members.

Probably. By 1 member.

Cannot say. By 7 members.

Q. 32.—Mention any places within the limits of the General Post Office delivery, where you consider that receiving houses might be established with advantage.

A.—Custom house, Exchange, Strand Mills, Asiatic Society, D. Wilson's, Wellington Square, Garden Reach, Ballygunge, Allipore, Cossipore, Intally, each end of the Strand, Omra Tollah, Wellesley Square, and every main Street.

Q. 33.—What is the distance of your house or office from the nearest place, either the General Post Office, or a receiving house, at which a letter can be posted ?

A.— $\frac{1}{2}$ of a mile. By 11 members.

$\frac{1}{2}$ a mile. By 1 member.

200 yards. By 2 members.

5 minutes walk. By 1 member.

Q. 34.—There are at present two daily deliveries of letters from the General Post Office, one at 10 A. M. and the other at 2 P. M. At what hour do letters sent out at each of these two deliveries reach you ?

A.—Times very various, the earliest 10 A. M., the latest 5 P. M.

Q. 35.—At what distance from the General Post Office is your house or office, where your letters are usually delivered ?

A.—Same as 33.

Q. 36.—Would it be a convenience to the public if bell-men went round between 5 and 6 P. M. to collect bearing and stamped letters

for the post, on payment of an additional anna upon each letter for the accommodation ?

A.—Only to those at a distance in the absence of receiving houses.

Q. 37.—Are you aware that any unauthorised demands for money are made by the delivery peons for delivering letters ?

A.—No. By 15 members.

Not to us but private persons frequently. By 1 member.

Q. 38. Are you aware that letters or parcels are ever detained, or returned to the General Post Office, by the delivery peons, because their unauthorized demands are not complied with ?

A.—No. By 15 members.

More attentive if obtain buxes. By 1 member.

Q. 39.—Have you ever had to complain of delay in the delivery of letters ?

A.—No. By 7 members.

Have had reason but refrained. By 4 members.

Sometimes. By 1 member.

Yes. By 3 members.

Seldom. By 1 member.

Q. 40.—Have letters sent either by or to you by the post, ever been lost ?

A.—No. By 7 members.

Sometimes. By 3 members.

Yes. By 2 members.

No recollection. By 4 members.

Q. 41.—Are you in the habit of sending money, bank-notes, or other valuables by the post or bhangy ?

A.—Yes. By 9 members.

Seldom. By 4 members.

No. By 3 members.

Q. 42.—Have you ever lost any such valuables during transmission through the post office ?

A.—Yes. By 7 members.

No. By 9 members.

Q. 43.—Do you ever receive your letters damaged by wet ? If so, from what post offices do such damaged letters usually come ?

A.—Yes from all stations. By 12 members.

No. By 2 members.

Not for some years. By 2 members.

Q. 44.—Would it be a convenience to the public to be permitted, as in England, on payment of a small fee (not exceeding four annas) to register letters containing articles of value, so as to ensure their being traced from the office of dispatch to the parties to whom they are addressed?

A.—Yes. By 14 members.

The system would prejudice the safety of unpaid letters and induce the theft of registered letters. By 1 member.

Q. 45.—Have you any improvement to suggest in respect to the receipt, dispatch, or delivery of letters by the post office, which might be expected to promote the general convenience of the public?

A.—The replies to this query your committee have embodied in the following observations, which also contain their own views and opinions accompanied by facts derived from information obtained by minute and specific enquiry.

4. Questions Nos. 10, 11, 12, 24, 44 and 45 of the series are those which have engaged the more serious attention of your committee, and to which they have more particularly directed their thoughts, under the impression that the successful result of an experiment in postal reform mainly depends upon the correct solution of these questions, and the consequent adoption of measures calculated to effect so great a desideratum as cheap postage.

5. Your committee have kept in view the fact that the elements with which they have to deal in so important an enquiry, in this country differ very widely from those of Great Britain, a fact which renders extreme caution necessary; nevertheless considering the great measure of success which has attended the reduction of postage in Great Britain, your committee entertain a strong belief that if the measures adopted are commensurate with the condition of the millions of India, the result can hardly fail to be equally successful.

6. From the inquiries made and information received by your committee the great obstacles to a general resort to the Post Office appear to be, the rate of postage, the venality of the postman, (where

natives are concerned,) the cupidity of the zemindars, and the very slow rate of the dak runners :—and your committee believe that unless these impediments are removed, and the Post Office brought within the means of the poorer classes of natives, the experiment of a reduction of postage can hardly be expected to succeed :—reduction of postage appears to your committee not to be the only essential for a successful issue, it must be accompanied with facilities of delivery and an expedition much greater than that which at present exists. Facilities must be increased by the appointment of postmen in every village, or every two or three villages within a limited distance of each other ; and presuming that all letters will be prepaid, it must be made the imperative duty of every magistrate to have this fact proclaimed, and that to the thorough understanding of the villagers ; it will likewise be of the greatest importance that he should, by all legitimate means, encourage the villagers to make complaints whenever extortion is attempted, and by his demeanour and personal attention to such complaints, endeavour to disabuse their minds of the impression that their complaints are not heeded, and the erroneous belief that justice is not attainable at a Mofussil Cutcherry.

7. In illustration of the effects which the want of this comparatively perfect system produces, your committee have to report that from inquiries made amongst the ooreali bearers, and the vast multitude of men from the N. W. Provinces employed at Calcutta in various domestic occupations ; they find, that with reference to the former, the great majority are in the habit of writing to their friends and relations at Cuttack, on an average, once a month, but that in consequence of the heavy postage and exactions of the zemindars, they are precluded from making use of the Post Office on ordinary occasions ; they therefore employ one of their priests to take charge of their letters, and any remittance of money they may have to make : on his return with a letter, to the effect that the remittance has been received by the party to whom it was sent—each bearer pays him two pice for every rupee so remitted : on extraordinary occasions, such as sickness or death, the Post Office is re-

sorted to by them ; the superscription of these letters contains the name of a member of their family, the village, and the name of the zemindar ; the usual postage is paid here, and the letter, it would appear, reaches the Post Office authorities at Cuttack in the usual course, but there it is made over to the zemindar, who exacts from the party who has to receive it, eight annas for every letter so received. As regards the latter, your committee find it is the practice with them to write to their relations at intervals of one to three months, according as they may have a few rupees to send home; to effect this remittance, they obtain a hoondee from a merchant in the bazar, who charges them a fixed sum of one anna in the rupee, or at the rate of 6 $\frac{1}{2}$ per cent. off: this hoondee is, with few exceptions, forwarded through the Government Post to the station nearest to the sender's village, from this place a charge of from 3 to 6 annas is made for the conveyance of the letter to the village.

8. And your committee have been informed that the sephacs are subject to similar charges, which for the hoondee alone, in their case, is equivalent to a reduction of 5 per cent on that portion of their pay employed as family remittances. What a boon, therefore, would cheap postage and money orders be to the sephae, how gladly would he forego his title to the franking of his letters for so great a convenience.

9. With such heavy taxes, in addition to the present heavy rate of postage, your committee are not surprised that the Post Office has been so little resorted to by the poorer classes of natives, and to your committee it does not appear strange that they should believe their priests better and more considerate friends than the Government.

10. Your committee have entered into the above particulars because, the facts contained, appear to them, to be of great importance, irrespective of the question of Post Office reform.

11. Your committee are of opinion that it is of the very last importance that all private daks should be stopped by a most stringent act of the Legislative Council: but, whilst they advocate the adoption of this measure, they are desirous of impressing upon the attention of the Government the absolute necessity for accompanying

it with some manifest advantages, such as greater despatch, greater facilities, and cheaper postage.

12. As one of the means for increasing the speed, your committee would recommend, wherever practicable, horse dâks, and metallic mail carts, or other water tight conveyances.

13. Your committee would also recommend that there should be in Calcutta, at least, four deliveries a day, say 7 and 11 A. M. and 3 and 7 P. M. They would further recommend, that the Post Office should be kept open for the receipt of letters until $\frac{1}{2}$ past 6 P. M. and, with a maximum fine of double postage, till 7 P. M.

14. Your committee are of opinion that it is highly important that the Post Master General should be permanent; and as far as possible, a highly efficient and practical man.

15. Your committee are impressed with a belief that the franking system is liable to abuse, and that letters of a private nature are occasionally made to pass as official documents, and are of opinion that for this, and other obvious reasons, the system of franking should be entirely abolished; that all public functionaries should be authorized to purchase Post Office stamps and affix them to their official correspondence according to weight, including the amount of purchase in their contingent bills under the head of "Postage charges," and they believe that the abolition of the system, accompanied by strict and responsible orders to public functionaries prohibiting the unnecessary weight of public letters, would materially reduce the weight of the letter dâks, and lead to a vast saving to Government.

16. Your committee have to observe that one anna per quarter tola is equivalent to $7\frac{7}{4}$ pence per half ounce avoirdupois: for taking the rupee at two shillings, (the intrinsic difference being two Shillings and one halfpenny,) 1 anna will be equal to $1\frac{1}{2}$ penny, and as half an ounce avoirdupois is equal to $218\frac{1}{4}$ grs. and $\frac{1}{4}$ tola is equal to 45 grains; one anna on a quarter tola is equivalent to $7\frac{7}{4}$ pence per half ounce: or more than seven times the postage of Great Britain, and about equal to the average of the inland postage of Great Britain previous to the introduction of the penny postage: further, your com-

mittee observe, that to make the postage on one quarter tola equivalent to one penny on a half ounce, it should be reduced to $1\frac{1}{7}\frac{3}{5}$ pie, or a little more than one-third of a pice per quarter tola.

17. Your committee with reference to the above facts, and the practicable reductions in this country, are therefore of opinion that the uniform rate of postage should be reduced to half an anna per quarter tola, and they fear that any reduction short of this will be attended with unsatisfactory results, and an erroneous conclusion that the people are not in a condition to avail themselves of so great a boon as cheap postage, followed by the natural consequence, an indefinite deference of a most beneficial measure.

18. With reference to question 26, your committee desire to express a very strong opinion :—they believe that the present system of receipts for letters is one possessing great value, and earnestly hope that in the contemplated changes it will be left in tact.

19. For reasons already fully detailed, and which cannot fail to carry great weight, your committee are strongly impressed with the belief that Post Office money-orders would be of vast utility, both to the Government and the public, and that every native in the country, living at a distance from his home, would avail himself of the convenience, provided it was brought within his limited means.

20. Your committee do not approve of the suggestion contained in question 44; the special registry of letters containing articles of value would, they fear, by drawing special attention to them, be offering facilities for robbery. Your committee have already expressed themselves satisfied with the existing system of receipts. They however believe that much good might be effected were a system of Insurance established by the Post Office, and that such an Insurance would be very generally resorted to.

Your committee are of opinion that the majority of the members, who have replied to the queries, are much more likely in their estimates to be within the amount of increase of correspondence by a reduction of postage, than beyond it, and for the following reasons :—

Your committee suppose two classes of correspondents: 1st. Business correspondents. 2d. Private correspondents—and the 1st

class your committee divide into three descriptions; 1st. Those who have a consideration for the expense to which they put both themselves and their constituents; 2nd. Those who have no such consideration for their constituents but for themselves; and 3d. Those who are perfectly indifferent as to whether the cost falls upon themselves or their constituents. The 1st description will be induced to write more letters under a cheaper postage, because they know that by so doing they put neither themselves nor their constituents to much expense. The 2d will be induced to write more letters, because they know that should the charge eventually fall upon themselves, it will be but trifling; and the 3d will be necessitated to write more letters, because however indifferent they may be themselves to the reduction of postage, it will not be so with the majority of their constituents, and must have its influence on them in multiplying replies. The second class of correspondents your committee divide into two descriptions—1st. Independents; 2d. Dependents; the 1st description will be more disposed to correspond with their dependent friends, because by so doing they put neither themselves nor their poor relations to much expense; the 2d description will be induced to write more frequently to their rich relations and friends, because they can afford with a cheap postage to do so. In fact in every way, cheap postage must, as a natural consequence, tend to multiply correspondence, and that to a much greater extent than most persons are, on a superficial view of the question, willing to believe.

21. Your committee are of opinion that amongst the advantages and benefits which would accrue from a cheap rate of postage and greater facilities of communication, not the least would be that of a greater incentive to education; the numbers of letters that would daily reach each village, where at present perhaps the arrival of one is an event, would naturally lead each person to wish to be able to read his own letter and become his own scribe: Parents made conscious of their loss in this respect would endeavour to remedy it in their children, and seek to bestow upon them a blessing of which they themselves are deprived by circumstances and age; vernacular schools would multiply, knowledge would increase, the village news-

man would be looked for with avidity, and monotony and broils would give place to rational argument and reason; and who shall calculate the vast amount of good which this high post road shall be productive of to the millions now wrapped in ignorance, and its attendant superstition.

22. In conclusion your committee do therefore recommend :—
- 1st. A uniform postage of half an anna per $\frac{1}{4}$ tola.
- 2d. Acceleration and improved conveyances for the dak.
- 3d. Greater facilities for receipt and delivery of letters.
- 4th. Permanency and qualification of the Post Master General.
- 5th. The system of prepayment.
- 6th. The use of stamps instead of money payments.
- 7th. A continuation of the present system of granting receipts, when required.
- 8th. The adoption of Post Office money orders.
- 9th. The abolition of franking.
- 10th. Payment for Government Correspondence.
- 11th. Reduction of the weight of Government letters.
- 12th. The appointment of village postmen.
- 13th. Putting down private daks by legislative enactment.

G. F. REMFREY,

Chairman.

*Calcutta Trade Rooms,
No. 13, Writers' Buildings,
The 14th September, 1850.* }

To C. BEADON, ESQUIRE,

Commissioner for Post Office Enquiry.

SIR,

The Members of the Trade Association fully convinced that the present mode of granting a receipt for every letter posted involves a detail and routine which it will, doubtless, be desirable to avoid under the proposed cheap postal system, have reconsidered query 26, referred to in the 18th paragraph of the report of the special committee of

the Trade Association, forwarded with my letter of date the 16th instant.

The known carelessness and indifference of native servants, and the probability of their failing to deliver, or being induced to destroy the letters from mere negligence, or for the sake of the few pice they may obtain for the stamps, induced the committee to dwell strongly on the importance of a receipt, fearing that in the absence of this check, many letters would never reach the Post Office.

The Association therefore recommend, that it should be made penal for any person to sell Post Office stamps without a licence.

That instead of the present mode of giving receipts, the following modification should be adopted :—

A receiving box with a slit in it to be placed outside of the building leading into a room within the building; into this slit all letters are to be put, not by the sender's servant, but by an officer of the Post Office, who is to be furnished with a series of stamps containing the ten digits and G. P. on them, arranged in proper order, on a ledge of the table or desk at which he is seated, thus :—

1 G.P.	2 G.P.	3 G. P.	4 G. P.	5 G. P.	6 G. P.	7 G. P.	8 G. P.	9 G.P.	10 G.P.
0	0	0	0	0	0	0	0	0	0

These stamps to be the only acknowledgment for letters received at the Post Office, and all persons requiring acknowledgment of their letters having been put into the Post Office, must confine their day or receipt book to a prescribed form, to be set forth in the Post Office Act. The following would probably be found convenient :—

Date of Dispatch.	Address.	No. of letters.	Post Office Stamp.
1850			
Sept. 30th	Mr. A. Little, Agra,.....	5	
," "	Mr. J. Moore, Azimghur,	4	10 5
," "	Mr. R. Money, Moonghyr,	6	G. P. G. P.
		15	

The Post Office Official will not, of course, trouble himself about the address, but merely count the number of letters and affix to the book the impression of a corresponding stamp, or stamps.

I am,

Sir,

Yours obediently,

J. MULLER,

Secretary.

*Calcutta Trade Rooms,
No. 13, Writers' Buildings,* }
September 30, 1850.

E.

TO THE HONORABLE COLONEL MORRISON, C. B. PRESIDENT OF THE COUNCIL OF INDIA, IN COUNCIL.

The Memorial of the Master, Wardens and Members of the Calcutta Trade Association.

RESPECTFULLY SHEWETH,

That your Memorialists, as a part of the Public of India, beg leave to submit to the notice of Government some particulars in which the administration of Justice may be essentially improved, and in which your Memorialists feel themselves more immediately interested, and, as they conceive, most competent to express an opinion.

That your Memorialists as Tradesmen and persons engaged in business in Calcutta have hitherto suffered, and still do suffer, most serious loss and inconvenience by the difficulty they experience in enforcing payment of debts due to them by persons residing in the Suburbs of Calcutta.

That, as the limits of the Local Jurisdiction of Calcutta do not extend over its suburbs and dependencies; natives, and other persons, who are not British Subjects, but who gain their livelihood in Calcutta, are in the daily habit of contracting debts in Calcutta, and

of avoiding their Creditors by taking refuge in the district of the Twenty-four Pergunnahs, by which means they are no longer amenable either to the Supreme Court or to the Court of Requests for the recovery of small debts; but become subject only to the Company's Court at Allipore.

That the Offices and Shops in which your Memorialists carry on their business are all situated in Calcutta at a considerable distance from the Court at Allipore.

That your Memorialists are unwilling to proceed in the Company's Court by reason of the vexatious delays and expense to which the suitors in that Court may, by its practice, be subjected. That if a debtor who is sued in the Company's Court, be determined to resist, he can by appealing and other resorts, delay the termination of the suit for an indefinite number of years; and that instances frequently occur in which debtors compel their creditors to accept a portion of their debt, rather than adopt the alternative of suing them in the Company's Court.

That, by the rules of the Court of Requests, the agents or Pleaders practising in that Court, are not entitled from the unsuccessful party to any fee or remuneration for their services, and that your Memorialists are in consequence without remedy for the recovery of small sums under one-hundred Company's Rupees; inasmuch as your Memorialists cannot afford to pay an agent or Pleader for their recovery, and cannot spare time to attend in person to the neglect of their general business.

That, for these evils your Memorialists firmly believe the Calcutta Court of Requests for the recovery of small debts would, (if thoroughly reformed, and its jurisdiction extended,) supply a complete and efficient remedy; and this your Memorialists conceive may be accomplished by extending the local jurisdiction of Calcutta, beyond its present limits, to the following places in the Suburbs, viz. To COSSIPORE, ENTALLY, SEALDEAH, BALLYGUNGE, BHOBANIPORE, ALLIPORE, KIDDERPORE, GARDEN REACH, and across the River Hooghly to SIBPORE, HOWRAH and SULKEAH, and other places in the immediate vicinity of Calcutta.

That your Memorialists are also of opinion that persons engaged in Trade and others would be highly benefitted, if in addition to the extension of the jurisdiction of the Court of Requests to the places abovementioned and others in the vicinity of Calcutta, that Court were allowed to take cognizance of suits between debtor and creditor, in which sums not exceeding in amount Co. Rs. 800 or Co. Rs. 1,000 are in question; provided such increase in the amount to be recovered could be effected, without adding to the rate of expense of proceeding in that Court.

That the establishment of a moderate but fixed scale of fees, to be paid by the unsuccessful party to the agents employed by the suitors, would induce the attorneys of the Supreme Court and other competent persons to practice in the Court of Requests, and would greatly facilitate the recovery of small sums.

Your Memorialists are aware that the proposed reform of the Court of Request and extension of its jurisdiction would be attended with additional expense; but they at the same time entertain a firm conviction that the increased business of the Court will more than meet such additional expense.

Your Memorialists therefore humbly pray that your honor in Council will take into your consideration the matter of this Memorial, and that you will be pleased to extend the limits of the Town of Calcutta, so as to comprise the whole of its populous Suburbs and dependencies, and thereby extend the jurisdiction of the Court of Requests; and that your honor will further be pleased to increase the amount to be recovered in that Court to Company's Rupees 800, or 1,000, and to vest in the Commissioners of the said Court such powers as may in your judgment be best calculated to remove the evils of which your Memorialists complain.

And your Memorialists will ever pray, &c.

SAMUEL SMITH,

Master.

December, 1838.

TO THE HONORABLE W. W. BIRD,

PRESIDENT OF THE COUNCIL OF INDIA, IN COUNCIL.

*The Memorial of the Master, Wardens
and Members of the Calcutta Trade
Association.*

RESPECTFULLY SHEWTH,

That your Memorialists hail with great satisfaction the proposed Act to facilitate the administration of Justice by the establishment of a new Court for the hearing and determining of causes of amount, to be called a Court for the trial of small causes at Fort William in Bengal.

That your Memorialists, as a part of the public of India, beg leave to submit to the notice of Government some particulars in which, by the alteration of that Act, the administration of Justice may be essentially improved, and in which your Memorialists feel themselves immediately interested, and, as they conceive, competent to express an opinion.

That your Memorialists, as Tradesmen and persons engaged in Calcutta, have hitherto suffered, and still do suffer most serious loss and inconvenience by the difficulty they experience in enforcing payment of debts due to them by persons residing in the suburbs of Calcutta.

That as the limits of the Local Jurisdiction of Calcutta do not extend over its suburbs and dependencies, Natives and other persons, who are not British subjects, but who gain their livelihood in Calcutta, are in the daily habit of contracting debts in Calcutta, and of avoiding their creditors, by taking refuge in the district of the Twenty-four Purgunnahs, by which means they are no longer amenable either to the Supreme Court, nor will be to the new Court about to be established for the recovery of small debts, but become subject only to the Company's Court at Allipore.

That the offices and shops in which your Memorialists carry on their business, are all situated in Calcutta, at a considerable distance from the Court at Allipore.

That your Memorialists are unwilling to proceed in the Company's Court, by reason of the vexatious delays and expense to which the suitors in that Court may, by its practice, be subject. That if a debtor who is sued in the Company's Court be determined to resist, he can by appealing and other resorts, delay the termination of the suit for an indefinite number of years, and that instances frequently occur in which debtors compel their creditors to accept a portion of their debt, rather than adopt the alternative of suing them in the Company's Court.

That your Memorialists, by the XIII. clause of the proposed new Act, will be debarred employing an attorney for the purpose of carrying on their suit in the said Court, except at their own expense, and that your Memorialists are, in consequence, without remedy for the recovery of small sums under one hundred Company's Rupees; inasmuch as your Memorialists cannot afford to pay an Agent or Pleader for their recovery, and cannot spare time to attend in person, to the neglect of their general business.

That for these evils your Memorialists firmly believe the new Court about to be instituted would supply a complete and efficient remedy, provided clauses VI. and XIII. of the amended Draft Act constituting the Court, were so altered as to extend the jurisdiction of Calcutta beyond its present limits, to the following places in the suburbs, viz. to Cossipore, Entally, Sealdah, Ballygunge, Bhowanipore, Allipore, Kidderpore, Garden-reach, and across the river Hoogly to Seebpore, Howrah, and Sulkeah, and other places in the immediate vicinity of Calcutta.

That your Memorialists are also of opinion that persons engaged in Trade, and others, would be highly benefited if, in addition to the extension of the jurisdiction of the Court, to the places above mentioned, and others in the vicinity of Calcutta, that it were allowed to take cognizance of suits between debtor and creditor, in which sums not exceeding in amount Co.'s Rupees 800, or 1,000, are in question.

That the Establishment of a moderate but fixed rate of fees, to be paid by the unsuccessful party to the Agents or Attorneys employed

by the parties at issue, would induce the Attornies of the Supreme Court, and other competent persons, to practice in the contemplated Court, and would greatly facilitate the recovery of debts not exceeding the aforementioned amounts.

Your Memorialists are aware that the proposed extension of the jurisdiction would be attended with some additional expense; and they at the same time entertain a firm conviction that the great increase of business which would follow, would much more than meet such additional expense.

Your Memorialists, therefore, humbly pray that your Honor in Council will take into your serious consideration the matter of this Memorial, and that you will be pleased to alter clauses VI. and XII. of the proposed Act, so as to extend the Jurisdiction of the new Court to the whole of the populous suburbs and dependencies of Calcutta, that your Honor will be pleased to increase the amount to be recovered in that Court to Co.'s Rs. 800, or 1,000, and that your Honor will further be pleased to authorize a rateable charge upon the amount sued for to be paid by the unsuccessful party to the gainer of the suit, in addition to the fees of Court, and that the same be paid into Court before the hearing of the cause.

And your Memorialists will ever pray, &c. &c.

H. BURKINYOUNG.

Master, Calcutta Trade Association.

Calcutta Trades Hall,
the 22nd January, 1844. }

TO THE RIGHT HONORABLE JAMES ANDREW, EARL OF DALHOUSIE,
GOVERNOR GENERAL OF INDIA, IN COUNCIL,

*The Memorial of the Master, Wardens
and Members of the Calcutta Trade
Association,*

MAY IT PLEASE YOUR LORDSHIP,

That the power of the Court of Requests is at the present time so much curtailed by legal objections, and the interference of the Supreme

Court as to render it nearly useless for the purposes for which it was established.

Your Memorialists are therefore constrained to pray your Lordship's early consideration of the facts set forth in the present appeal, which is made in the confident hope that matter, so deeply touching their interests and those of the community in general, will receive your Lordship's powerful support by the enactment of a law defining and extending the powers of the subordinate Court of Judicature, and defining precisely its jurisdiction.

2. The present constitution of the Court is so imperfect, and its real powers are so little understood, that the Commissioners with every desire to administer justice, are constantly baffled and defeated, either by ingenious pleading, or by the vague nature of the rules laid down for their guidance, and the difficulty of putting a definite construction on them. The decisions of one day are no criterion for those of the next, even if the cases are precisely similar, in as-much-as the objections urged on one occasion are not so urged on another, or one Commissioner may construe the rules of the Court differently from his colleagues.

3. The jurisdiction of this Court has now been nullified by a recent decision in *Dykes and Co. v. Oman*, a Bench Warrant case for Co. Rs. 419. A legal practitioner pleading for the defendant without going into the merits of the case, raised objections as to the power of the Court to adjudicate the amount claimed. The Commissioners after mature consideration eventually yielded to the arguments advanced and non-suited the Plaintiff. Your Memorialists have taken no legal opinion on the decision, as they presume the Commissioners duly studied the rules, orders, acts and proclamations bearing on the constitution of their Court, and were fully satisfied as to their want of power to adjudge the case in question.

4. Your Memorialists beg leave to indicate one or two classes of suits in which they have experienced much inconvenience and loss. The first is in following up claims against female debtors. The proof of *Feme Couverte* and *Feme Sole* is particularly difficult in this city, in consequence of its ever changing society, and the inhabitants

being gathered from all quarters of the globe. The result is, that the honest Tradesman is defeated by the supposed imperfect and limited powers of the Court. Your Memorialists believe that in this as well as in other matters to be judged by a Court of Requests, equity and good conscience might safely be substituted, where legal proof is impossible.

5. The second class of suits to which your Memorialists would desire to draw your Lordships attention, is that in which a set off is claimed, on the plea of negligence or damage done and such suits are of frequent occurrence. For example, a workman or domestic servant sues his master for wages, which the latter may not dispute, but materials or articles of domestic use in the particular charge of the workman or servant, are missing, and though evidence may not be so direct or complete as to obtain a Police conviction, yet the master adduces the best reasons for a belief in the criminality of the servant, accompanied with good circumstantial evidence of the loss of his property, and that property may be of greater value than the amount of wages due. In most cases the workman or servant obtains a full decree, the set off not being allowed, on the grounds either of non-jurisdiction, the powers of the Court being insufficient, or it being considered rather a case for the Police Office than the Court of Requests. Your Memorialists beg to add that the revised rules for the guidance of Military Court of Requests in clause 30, empowers a Court to make deductions in such cases.

6. Your Memorialists are conscious that the commissioners in many instances act with discretion, but if the Court of Requests is to be considered a Court of equity and good conscience, which it was originally, and by repeated proclamations meant to be; cases such as those referred to, merit above all others a careful exercise of the principles on which its powers depend, especially when the Master or defendant is of known respectability and integrity. The records of every Court in India establish the fact that natives generally deem perjury and perversion of the truth as not being criminal—particularly when their interests are concerned. Decrees thus obtained establish dangerous precedents, or in strong terms, they hold out a positive encouragement to immorality.

7. In constructing rules for a reform of the present condition of the Court of Requests, your Memorialists submit the subject of Bench Warrants as one highly deserving attention, as large sums are continually lost by the difficulties and defects of this summary process. Many persons indebted to the trading community of Calcutta and residing at remote stations in the Mofussil, have for years held their creditors in defiance. They arrange the time of their arrival in Calcutta, when about to leave the country, that they have only a few days to remain prior to the departure of the Ship or Steamer on which they may have taken their passage. In such cases the usual process of the Court is too tardy to be of any effect, and unless a Bench Warrant can be promptly obtained, the fraudulent debtor perhaps escapes for ever. At present the Commissioners declare their inability to grant Bench Warrants at all, and they are not likely, when threatened, with actions at law for illegal arrest, to take any responsibility on themselves ; but, during the most useful periods of the Court there was always much uncertainty about these instruments of law, and your Memorialists are therefore induced to bring them prominently to notice.

8. It is not the intention of your Memorialists to multiply objections, or to detail minutely all the imperfections of the Court of Requests, in the condition to which it is now reduced. To do so would swell the appeal to an extent that would trespass much on your Lordship's valuable time, but it is essential to the interests of your Memorialists and the public, to point out the present inutility of the Court, and its limited jurisdiction ; in consequence of which it has become a burden to the state without affording any commensurate advantage to the public.

9. Not to take your Lordship back to the earliest history of this Court, it appears by the proclamation of 1802 that the Court had power to suits of 100 Sicca Rupees ; but in 1813 the community and trade of Calcutta having much increased, another proclamation was issued extending the jurisdiction of the Court to sums of 250 Sicca Rupees, and again in 1819 the inhabitants and trade of Calcutta having still more increased, the Governor General in Council by a proclamation extended the jurisdiction to 400 Sicca Rupees, equiva-

lent to current Rupees 426-10-8 being the full amount allowed by the statute 39 and 40. Geo. 3rd C. 79. By these several extensions the Supreme Court was relieved of numerous petty suits which greatly encumbered it, and the public was convenienceed by obtaining cheaper and swifter justice. At the date of the last proclamation the Supreme Court suits were fixed at the minimum of 400 Sicca Rupees for all suitors within the jurisdiction of the subordinate court. These proclamations have availed up to the period of the decision in the cases of Dyke's and Co. v. Oman, a few weeks back ; and your Memorialists are now suddenly exposed and limited to the Regulation of half a century ago, as the proclamation of 1802 is the only one now acted upon, those of 1813 and 1819 being considered of no effect, and thereby null.

10. Your Lordship's Memorialists are not only subjected to this ancient legislation, but they are in a much worse dilemma, as they can now institute no suits in the Court of Requests for sums above 100 Sicca Rupees nor for any amount under 400 Rs. in the Supreme Court. There is therefore no legal redress or protection for intermediate sums, and these constitute a large proportion of Tradesmen's claims. It is principally with reference to the fatal imperfection of Law, that your Memorialists appeal to your Lordship in Council for a speedy reform, as they are living amongst a community many of whom are skilful in contrivances to evade payment of their just debts, and to such persons the present suspension of business in the Court of Requests is a Golden hiatus. The number of cases adjudicated in the Court of Requests is no criterion as to its utility, as by dread of the Law many are compelled to pay their just debts, but if that fear is removed the ill disposed will resist, honest Tradesman will be defrauded, and the community will be demoralized.

11. In the Appendix to this paper, your Memorialists submit a copy of a Memorial on the same subject as the present, which they addressed to the President of the Council in India, in January 1844, to that Memorial your Lordship's attention is most respectfully directed, and particularly to that part in reference to the extension of the jurisdiction of the Court of Requests to all the Suburbs of Calcutta.

12. The limits of Calcutta were fixed in September 1794. What were dense jungles in those days are now populous inhabited districts, but the boundaries of 1794 are those of 1848. The former Memorial suggested that suits in the Court of Requests might be extended to 800 or 1,000 Rupees, your Memorialists have carefully reconsidered this point and are of opinion that if carried up to the amount named above, extensive alterations in the forms and rules of the Court may be necessary, and these may occupy some time in maturing. They would therefore as an immediate measure, respectfully recommend that the sum of 500 Company's Rupees be fixed as the maximum amount for recovery through the Court of Requests, the Sieca Rupees being obsolete as a current coin, and this would give entire satisfaction to your Memorialists.

13. That your Lordship may the more readily comprehend the position of your Memorialists, and the class they represent, in reference to suits in the Court of Requests, and the extension now prayed for; and to convey some idea as to the nature and extent of credit which according to the custom of doing business throughout India is indispensable. Your Memorialists have appended to this paper a figured statement, or summary of the debts due to fourteen houses of the trading community, being a proportion of those extensively engaged in business. The statement proves that your Memorialists do not exaggerate nor give a false coloring to their representations of the pressing necessity for an early legislative enactment, as it will be seen that out of a total of 16734 claims, only 725 are above the extension sought for.

14. Your Memorialists have carefully perused the Draft Act "for establishing a Court of subordinate civil jurisdiction in the city of Calcutta" dated 13th March 1847, and it is not their present intention to discuss it in detail. They beg merely to remark that it is very comprehensive and would generally meet their views, but as objections have been taken to it in high quarters, your Memorialists would be quite content with a Court of lesser power. A large proportion of the debts due to your Memorialists, as will be observed on reference to the figured statement, are under 500 Co. Rs. and for such amounts the Supreme Court is an expensive tribunal, for whether the amount

sued for be much or little, the costs are nearly the same, thus for example, the plaintiff's costs in a suit for 200 Rupees would be double that amount, and for a suit of 100 Rs. or less, the costs would be the same, supposing the entire process of the Court to be followed: further, suits in the Supreme Courts are very slow in their progress, and for small amounts, the delay is inconvenient and vexatious.

15. Referring back to the year 1802, your Memorialists would remark that the class of the community to which they belong, consisted at that time of a small band of adventurers held in little estimation; nearly half a century has elapsed and the trading community of Calcutta at the present time is a large and respectable body; collectively doing very extensive business; and of late years, honored on many occasions, with marks of the respect in which it is held by Government of which your Lordship is at the head. Your Memorialists not thinking it out of place on this occasion, have given in the Appendix to this paper a copy of the reply they received from Lord William Bentinck to the Address presented to him by the Calcutta Trade Association on the occasion of his departure from India. Your Lordship will observe how energetically this wise and enlightened statesman expressed himself on the state of Credit in Calcutta, and your Memorialists have much pride in referring to this testimonial, from the pen of so able a Governor General, as indicative of the estimation in which he held their endeavours to reform the lax system which formerly prevailed.

16. Your Memorialists in conclusion would again beg leave to urge on your Lordship's attention, that the legislation of 1802 is quite inadequate for the inhabitants of Calcutta of 1848. In no city of the world have trade, civilization, population and habits become so altered and extended as in Calcutta within the period referred to. If in 1819 the Government considered it necessary to extend the powers of the Court, how much more that necessity has increased in 1848, and how little are the trading community in a position to dispense with such a Court. In its present state, it is but the wreck of former days, and the gates of the secondary fountains of justice may be considered virtually closed. If to your Lordship your Memorialists

have seemed importunate in this appeal, or more bold of language than is usual, it is because they desire to sustain the character they have hitherto held for integrity and honest dealing, and that they observe an increasing tendency to laxity of credit; moreover your Memorialists have suffered heavily in the late commercial ruin, as well as by extensive public frauds, and can ill bear the daily losses entailed on them by the suspended powers of the Court of Requests.

And your Memorialists will ever pray,

(Signed) J. P. PARKER,
Master of the Trade Association

Calcutta, Trades Hall, }
8th April, 1848. }

TO THE HONOURABLE THE PRESIDENT OF THE COUNCIL OF INDIA.

*The Memorial of the Master, Wardens,
and Members of the Calcutta Trade
Association.*

RESPECTFULLY SHEWETH,

That certain sections of the Draft "Act for the more easy recovery of small debts and demands" being likely to operate to the inconvenience and detriment of your Memorialists, they pray for a reconsideration of the same. There are also some points left unnoticed which are of importance to tradesmen and others, and, to avoid prolixity, they beg leave, at once, to point out these several matters in detail.

2. On more than one occasion, as will be seen on reference to the documents quoted in the margin, the Trade Association has represented the necessity for extending the local jurisdiction of the Court of Requests to the extreme Suburbs of the Town, and the course of business yearly indicates the growing necessity of such a measure. By Section 5, of the proposed Act the local jurisdiction of the Court is confined within the limits which bounded it nearly sixty years ago, when, as far as your Memorialists can discover, the number of residents in the Suburbs, Europeans, East Indians and Native,

dealing with Shopkeepers or Tradesmen in the Town, was so inconsiderable as to render unnecessary any protective measure against them. At the present day they form a numerous body, a large proportion of them consisting of persons who do not come within the scope of Section 25 of the Act, as they neither "dwell or carry on business or work for gain within the district of the Court." With them therefore it becomes necessary to resort to the tedious and inconvenient process of suing for the recovery of debts in the Mofussil Court. On the other hand these Suburban inhabitants possess the advantage, and are known freely to use it, of resorting to the Court of Requests in pursuit of their claims against persons resident in Calcutta, thus benefitting by a tribunal from the jurisdiction of which, through some oversight, they have been hitherto exempt.

3. According to the present practice of the Court of Request a tradesman, or other person in business, may appear and prosecute his claim: should it be inconvenient to do so, which frequently happens, he may depute one of his assistants to represent him, or he may employ one of the Pleaders who practises in the Court at a low rate of remuneration. Your Memorialists are not aware that any serious evils have resulted from this system which is of long standing, and has been found of great convenience to all classes in Calcutta and its vicinity. Under the new Act, (Section 52,) claimants are debarred, save by favor of the Court, from employing any other person than an attorney of the Supreme Court, or an advocate duly instructed by an attorney: this doubtless would enhance the respectability of the new Court, but your Memorialists submit that the advantage would be gained at the expense of suitors, and instead of a cheap and simple process in a small Cause Court, claimants would be in a worse position than they are at present. The fees to attorneys and Barristers constituted, and still constitute, a bar to procedure in the Supreme Court for the recovery of small sums. This was pointed out in the Memorial from the Trade Association addressed to Lord Dalhousie on the 8th of April 1848, and your Memorialists view with considerable apprehension the privilege now about to be conceded to Attorneys and Advocates, who must be highly paid for nearly an

exclusive practice, in what has hitherto been considered rather as a Court of Equity and good conscience, than one of Law.

4. Apart entirely from the interests of those constituting the Trade Association, there is a large and increasing class of persons in Calcutta and its Suburbs, composed of poor widows and unprotected females, East Indian and European, earning a precarious livelihood as Boarding and Lodging Housekeepers, School Mistresses and otherwise: as well as men of the same origin carrying on various petty handicrafts, or endeavouring to eke out a subsistence by shop-keeping on a small scale. There are besides many Purdah women of very limited income. To such persons as these and their small claims, Section 52 would be quite inapplicable. They could not fee an attorney or Barrister, in addition to the costs of suit which they often find it difficult to advance. Female suitors are averse from timidity and other causes to appear in Court, and it would seem a hardship to deny them the friendly aid of male relatives, or neighbours, or the cheap services of a Pleader who undertakes a suit for a small percentage, the payment of which is contingent upon his success in obtaining a decree. Your Memorialists would therefore pray that the practice observed in the present Court be allowed to continue undisturbed, it being optional under this system for either plaintiff or defendant to employ an attorney of the Supreme Court.

5. Much has been done by the new Act in furtherance of the interests of suitors generally, but there is one description of case not provided for, which your Memorialists beg leave to bring to notice in the hope that a remedy will be applied. It has frequently happened to Members of this association, and doubtless to others not belonging to it, that a person from the Mofussil contrives to evade payment and proceed to sea, notwithstanding his creditor may have succeeded in bringing him before the Court on a Bench Warrant and obtained a decree against him. This occurs in consequence of the Court not possessing the power to detain the debtor after the decree, until an order for a new Warrant to that effect is issued, which cannot be done under 20 minutes to half an hour, meanwhile the defendant makes good use of his time, betakes himself to a boat and lies perdue until

the ship on which he has taken his passage proceeds down the river, when he gets on board at some convenient spot, having so timed his arrival in Calcutta and made his arrangements that nothing remains but to embark, leaving the creditor to pay the costs of suit and Bench Warrant. Your Memorialists would therefore respectfully suggest that in a Bench Warrant case a decree in favor of the plaintiff should carry with it power to detain the defendant until the amount is paid.

6. Lastly, your Memorialists most respectfully solicit the attention of Government to the necessity of empowering the Judges of the new Court to give a liberal interpretation to the statute of limitations, or if within the competence of the Legislative Council, the enactment of a clause or Regulation modifying it. The statute which was framed to bar the revival of obsolete claims, is unsuited to the dispersed state of Society in India, and a rigid enforcement of it has entailed many unmerited losses on persons in and out of business. As regards the Calcutta tradesmen, having customers at the most remote stations, it often happens that he and they never meet, nor have been within some hundreds of miles of each other. In many of these cases letters and accounts are intentionally refused and thrown back on the sender's hands " Bearing Postage." In others the persons addressed have proceeded to Europe and been absent from India more than half the time prescribed by the statute, having contrived to embark clandestinely, or in some cases proceeded via Bombay. Your Memorialists are therefore debarred from obtaining an acknowledgement, or reviving a demand as required by the statute, and this obstacle being purposely and fraudulently raised, they seek a remedy. And as in duty bound your memorialists will ever pray.

(Signed,) C. J. PITTA^R,
Master.

Calcutta, Trades Hall, }
The 31st July, 1849. }

F.

TO THE RIGHT HON'BLE EDWARD, LORD ELLENBOROUGH.

Governor General in India, &c. &c. &c.

MY LORD,

I have the honor to forward, for your Lordship's consideration, the accompanying copies of memorials addressed by the Calcutta Trade Association, to the Board of Commissioners for the Affairs of India, to the Hon'ble the Court of Directors, and to the Deputy Governor of Bengal.

The great interest which your Lordship has always shewn, (from the earliest period,) in every thing relating to steam communication with this country, induces the members of the Calcutta Trade Association to appeal direct to your Lordship, and to solicit your Lordship's powerful advocacy of the prayer of the memorials.

It will be in your Lordship's recollection, that the inhabitants of the Eastern side of India have, for many years, been engaged in urging and petitioning for a direct line of communication for the Indian Mails from Calcutta, Madras and Ceylon, via Aden and Suez. But at the time, when they were in full expectation of the realization of all their hopes, by the perfecting of the scheme, they regret to observe a proposition made public, having, it is feared, for its end the abandonment of this long cherished project.

It will no doubt have been observed by your Lordship, that the feasibility of the direct communication has on a late occasion, been made most apparent, this from the circumstances arising out of the loss of the *Memnon*, in consequence of which the entire packets of the September Mail were put on board the *Hindostan* steamer, at Suez, and by her carried to Aden ; the Falmouth packets for Calcutta, Madras and Ceylon, being marked respectively for these places, were allowed to be brought on by the *Hindostan*, but the Marseilles Mail boxes being marked indiscriminately " India," were left at Aden for the *Bombay* steamer.

Your Lordship will have observed, that the *Hindostan* left Aden on the 29th of September, and reached Calcutta on the morning of the 17th of October ; that the entire mail forwarded via Falmouth

and brought on to Calcutta by the *Hindostan*, was distributed in one day, allowing four clear days for reply, by the Express that left Calcutta on the 21st of October; that the Marseilles Mail left at Aden was carried on to Bombay by the *Victoria* steamer, which vessel left Aden on the 1st of October, that the first instalment of the mail reached Calcutta on the 22d and the last portion on the 27th of October; and that the first arrival in Calcutta via Bombay was one day after the express mail had left Calcutta for England, and five days after that portion brought by the *Hindostan* had been delivered. Thus it will be seen, that the *Hindostan* brought her portion of the mail from Aden and delivered it entire at the Calcutta Post Office in 18 days, and that the first portion via Bombay arrived at the Calcutta Post office in 22 days from Aden, and the entire packet in 27 days. Had, however, the whole of the September mail been sent via Bombay, it is not unreasonable to suppose, that the completion of the delivery would have extended a few days beyond the 27th; it will therefore be evident to your Lordship, that by the September letters via Marseilles and Bombay having arrived the day after the express mail had left Calcutta, a delay of one month to the Eastern side of India, in replying to their September letters, was occasioned.

Your Lordship will have in remembrance that in March 1841, the Right Hon'ble the Lords of Her Majesty's Treasury declared, with reference to the subject in question, "that no plan would be worthy of adoption that did not include the direct communication to the three Presidencies of India," and the Right Hon'ble the President of the Board of commissioners for the Affairs of India concurring in this declaration asserted, "that any other course would fail to fulfill the just expectations of the people both of England and India."

The great disadvantages of sending the Mails overland to Bombay, more especially during the rainy season, will be most apparent to your Lordship, as with every improvement in the making of roads, there could never be any security, (through the heavy rains India is subjected to,) that the mail packets would not arrive saturated and on some occasions reduced to pulp, as has not unfrequently occurred; rendering the correspondence utterly useless. And your Lordship is

further aware that the unlooked-for delay consequent on the badness of the roads during the rains has been the cause on two or three occasions of the entire mails from this side of India being left behind ; the steamer having been despatched from Bombay without them :— These circumstances would, at the season of the year alluded to, always render the Bombay route irregular and unsatisfactory.

The Trade and Commerce of Calcutta, Madras, Ceylon, China, the Straits, the Mauritius and Australia not omitting the increasing importance of Moulmein as a commercial port, form a very great portion of the commerce of the whole world ; and at the present period the vast correspondence induced by this trade, is forwarded most inconveniently by way of Bombay, because it is geographically situated nearer to England than any of the aforementioned places, and although this circumstance does favor Bombay and immediate places around it, it has clearly been exemplified that making it the port for the delivery of the mails destined for the Eastern side of India, materially disadvantages them.

Your Lordship is fully aware that in the port of Calcutta there is not unfrequently 150 merchant vessels, whilst in the harbour of Bombay it would be difficult to count at any time 50. This fact is merely adduced to illustrate the importance of the two places.

By making Galle a central point for the reception of the Mails from China, the Straits, the Mauritius, and Australia, to be picked up by the large steamers plying between Calcutta and Suez the importance and convenience of these places would be extremely great.

What has been so far stated has had reference to the mails only, and although this is paramount in importance to any other advantages : there is still to be considered the convenience and importance of Passengers from this side of India going the direct route, and the opportunity of receiving and despatching heavy packets and parcels which the enormous cost overland from Bombay has hitherto rendered prohibitory.

Having brought to your Lordship's notice a few of the advantages derivable from the direct communication, as well as some of the disadvantages of the Bombay route, and having gone more particu-

larly into detail in the memorials referred to in the first para. of this communication, I have, on behalf of the Calcutta Trade Association, earnestly to solicit your Lordship will use the powerful influence your Lordship possesses with her Majesty's Government, and the Court of Directors, in securing to the Eastern side of India the only communication which can give satisfaction by affording permanent benefit.

I have the honor to be, My Lord,
Your Lordship's most obedient and humble Servant,
G. F. REMFRY,
Master, Calcutta Trade Association.

Calcutta, Trades Hall, }
December 9, 1843. }

TO THE HONORABLE W. W. BIRD, ESQ. DEPUTY GOVERNOR
OF BENGAL.

The respectful Memorial of the Calcutta Trade Association.
SHEWETH,

That the London Journals brought by the late October mail, and particularly the *London Monthly Times* newspaper of the 6th October last, report the proceedings of certain public meetings, held at London, Liverpool, and Glasgow, during the previous month of September, the object of which meetings was intended to promote the acceleration of the communication between India and Great Britain.

That at one of these meetings held at the Hall of Commerce in London on the 19th of September last, a proposal was submitted by the Peninsular and Oriental Company for the transit of the mails to, and from Southampton and Bombay, by which it was alleged the desired acceleration would be obtained, and to accomplish which it was stated, among other means at the command of the Peninsular and Oriental Company, they possessed the Steamer *Hindostan* and *Bentinck* now placed on the direct line between Calcutta and Suez.

That this proposition of the Peninsular and Oriental Company has excited in your Memorialists the most serious apprehensions for the permanent establishment of a direct line of intercourse between

Calcutta, Madras, Ceylon and Suez, now so practically commenced by means of the Steamers above mentioned, the *Hindostan* and *Bentinck*; and your Memorialists are therefore deeply impressed with a desire to represent to you the serious loss, embarrassment, delay and uncertainty, that they apprehend will ensue to your Memorialist, as well as to the large and various interests connected with this port, from any arrangement that shall fail to secure a direct communication between this place and Suez and the ports of Madras and Galle on the direct line.

That your Memorialists have been supported in the hope that such a direct communication would, in due time, be established from the resolutions that have been passed by the House of Commons, and the publicly expressed opinions of other high authorities.

That the late voyage of the *Hindostan* practically demonstrates the importance of the direct route, and the profound judgment exhibited by the House of Commons and the other authorities above referred to; the mails by that vessel having been delivered in Calcutta in 18 days from Aden, while that portion of the mail received via Bombay was 27 days between its despatch from Aden and its final delivery in Calcutta.

That the indirect route to Calcutta via Bombay entails upon this port, upon the merchants, manufacturers, growers of produce and the inhabitants generally throughout the course of the Ganges as far as Allahabad, the adjacent countries of Assam, Arracan, Moulmein, the Islands to the Eastward, China and Australia, important obstructions to their intercourse with Europe; by the uncertain progress of the Bombay dawk, the destruction of letters and commercial documents during the rainy monsoon, and the heavy import in the existing rate of postage, all of which are obviated by the direct line from Suez.

Your Memorialists, therefore, earnestly entreat, that your Honor will submit to the Honorable Court of Directors such representations as will prominently exhibit the claims of this port, and the large interests connected with it, to their high consideration, and to urge such authorities respectfully to withhold their support to any proposal

which shall not have for its object a direct intercourse with this place, and which your Memorialists doubt not, under the liberal support of the home Authorities, may be speedily accomplished throughout the three Presidencies with Europe.

And your Memorialists shall as in duty bound ever pray.

(Signed) G. F. REMFRY,
Master, *Calcutta Trade Association.*

Calcutta, Trades Hall, }
9th December, 1843. }

TO THE RIGHT HON'BLE THE PRESIDENT AND MEMBERS OF THE BOARD
OF COMMISSIONERS FOR THE AFFAIRS OF INDIA.

The respectful Memorial of the Calcutta Trade Association.
SHEWETH,

That your Memorialists have learned, that propositions have been made by the Peninsular and Oriental Steam Navigation Company, to the Government of Great Britain and the Court of Directors of the East India Company, to convey the public mails from Suez to Bombay,—and setting forth that their available means for the completion of that object is the employment of the Steam vessels *Hindostan* and *Bentinck*, which are now plying on the direct route between Suez, Galle, Madras and Calcutta, with other vessels which they could bring into use.

That your Memorialists regard these proposals with deep alarm, as they believe the consequences of their adoption would be of a most injurious kind in relation to their own commercial and social interests, and to those of the general public of the Bengal Presidency.

Your Memorialists wish particularly to refer to the great importance of the commercial and other relations existing between Calcutta, China, and the countries to the eastward, with England, and which make it in the highest degree desirable to increase, rather than diminish, the means of direct communication.

Your Memorialists further shew, that during the years in which

Bombay has been made the port of arrival and despatch of letters to and from places eastward thereof, from whence they have been sent and received by land ; very great uncertainty and inconvenience has been experienced, both as to the time, and safety of correspondence, and which the despatch of mails directly by Sea would obviate.

That the great expense which such arrival at, and departure from ~~Bombay~~ occasions, is a serious hindrance to correspondence.

That the proportion of letters, correspondence, and newspapers from the other Presidencies sent by that route, is already nearly two thirds of the entire quantities dispatched by each mail, and it is believed a much larger proportion would go under a more certain, cheap, and direct route.

That the adoption of the direct course by steam vessels from Suez to Calcutta, dropping mails at Galle and Madras, would place London letters of the sixth day of each month via Marseilles, in Calcutta by the 13th or 14th of the succeeding month, and that the Steamer *hero* being placed to start about the 18th, would give from four to five days for replies, these replies would arrive in London via Marseilles in time to allow of an equal number of days for correspondence by return mails, thus giving four or five days each way, which would be a most important advantage, and one which your Memorialists have not hitherto enjoyed.

That your Memorialists confidently refer to the policy recently established in England, of reducing the rates of postage to the minimum amount, and at the same time of quickening the conveyance of letters, as one which has given universal satisfaction, and the reference is made in the hope that the India mails will be regulated by the same principles, but should your Hon'ble Board so think necessary, your Memorialists would prefer an increased rate of postage to the loss of any existing means of transit perfected to monthly communications, as has been herein advocated in the direct line with Galle and Calcutta.

Your Memorialists therefore entreat your Hon'ble Board will offer such remonstrance to any deviation from the direct route, and facilitate such advantages or remuneration to the parties offering to carry

the mails direct, as to you shall be deemed proper, and as shall accomplish this object.

And your Memorialists shall every pray.

G F REMFRY,

Master, Calcutta Trade Association.

Calcutta, Trades Hall, }
December 9, 1843. }

To the Hon^{ble} THE COURT OF DIRECTORS OF THE
 EAST INDIA COMPANY.

The respectful Memorial of the Calcutta Trade Association.
 SHEWETH,

That your Memorialists, fully participating in the strong feeling evinced in this city on the announcement, by the Peninsular and Oriental Steam Navigation Company, that they were prepared to run their vessels, the *Hindostan* and *Bentinck*, between Bombay and Suez, in furtherance of a proposal for facilitating the transuit of the Indian mails, beg earnestly and respectfully to entreat the consideration of your Honorable Court to the serious loss and inconvenience which your support of such a measure would entail on your Memorialists and the interest they represent, in common with the various communities in the extensive Presidencies of Bengal and Madras; the Eastern Settlements of Penang, Singapore, and Malacca, and Her Majesty's Colony of Ceylon.

The fallacies involved in the proposition of the Peninsular and Oriental Steam Navigation Company as regards an acceleration of the mail by any line making Bombay the port for the receipt, and despatch of the mails for the eastern side of India, will, we are assured, be fully demonstrated to your Honorable Court, by more able and influential persons than your Memorialists—we do not therefore purpose trespassing on the time and attention of the Court on those points: but as others may escape the notice of our more powerful supporters in this matter, as they certainly have done that of the Peninsular and Oriental Steam Navigation Company, your Memoria-

lists beg leave to lay before your Honorable Court a few facts bearing strongly on the question of a direct and frequent Steam Mail Packet between Suez, Point de Galle, Madras and Calcutta.

Leaving Hindoos and Mahomedans out of any calculations connected with the Indian mails, although a few of the former belonging to this city do ship to, and transact business with, ports in Great Britain, it is shewn by a return made by the Superintendent of Police in 1837, the latest at hand, that this city contained at that time :

British born inhabitants,	...	...	...	...	3138
East Indians,	...	...	...	...	4746
Portuguese or their Descendants,	...	...	...	...	3181
French,	...	...	...	...	160
Armenians,	...	...	...	...	636
At Howrah across the River—Europeans and East Indians.	...	...	...	...	112
Serampore,	...	...	...	...	55
Chandernagore,	...	...	...	...	77
Chinsurh, Bandel and Hoogly,	...	...	...	...	26
					12,131

The want of a late and accurate census of Calcutta is rather unfortunate at this particular juncture, but going back for 7 years, and deducting the East Indians and Portuguese, who are more generally employed as clerks in Government and Commercial Offices than engaged in Trade, your Honorable Court will find nearly 4,500 persons in Calcutta and its neighbourhood, who would feel seriously any disappointment in their long cherished hope of a direct Steam Communication with Suez.

Your Memorialists, on their own particular behalf, desire to bring to the notice of the Court, that they represent a body numbering in this city, upwards of 800 persons, being more than equal to the whole population, European and East Indian, in the town and throughout the Presidency of Bombay, other than Civil, Military and Marine: that, as shewn by the latest Directory there are not 50 Tradesmen, and shop-keeping establishments in the town of Bombay against 270 in this city, and 120 at Madras:—that the whole number of European, or Christian Tradesmen in Bombay is not more than 45 or thereabouts, there being a preponderance of Parsees in every line of business; whilst the greater number of your Memorialists, those whom they represent, and many of their journeymen, and assistants

are Natives of the United Kingdom, to whom a' cheap and ready intercourse with friends and ties at home is of the highest importance.

Your Memorialists would also solicit the attention of your Hon'ble Court to the circumstance of therero being upwards of 500 persons, most of them also British born, settled in Assam, Bengal, Behar, Allahabad and the Doobab, as planters and manufacturers of indigo, sugar, rum, silk and tea, or otherwise employed in developing the resources of the country, a few excepted, who are shop-keepers in Military cantonments—that by far the largest proportion of this enterprising and useful class of men are located below Allahabad in the districts east of the Ganges, and must ever look to the Calcutta Post office as the channel for the transaction of their important business, as well as the receipt of their letters to and from home, through their agents in Calcutta.

Your Memorialists beg to add, that with the exception of one person (Signor Mutti,) whose experiments in the silk line appear to promise well, they are not aware of there being five Europeans or East Indians engaged in trade or manufactures, throughout the west of India, save those within the town and pricincts of Bombay.

Your Memorialists must not omit referring to the number of Europeans and their descendants settled in the Straits, and solely engaged in commercial pursuits, amounting by the lowest calculation to 1,000 persons, or nearly double the number residing within the limits of the Bombay Presidency, but not in the service of H. M. or the Honorable East India Company—any abandonment of a direct communication by steam with Madras and this Port must affect the interests of that large body, and living, like your Memorialists, under your Government, they will, we hope, in due time, express themselves accordingly.

Although somewhat beyond the province of your Memorialists, and perhaps a work of supererogation on their part, they cannot refrain from advertting, in this their appeal to the small number of H. M.'s and the Honourable Company's forces and Civil Servants serving in the Presidency of Bombay, compared with those in Ceylon and the Presidencies of Madras and Bengal ; being only as 1 to 4 of

the former and 1 to 5½ of the latter. Your Memorialists find in the Bombay Presidency—

43 Regiments with about, European Officers, 1,460	Soldiers	8,000	Total 9,460
In Ceylon Artillery, Engrs. & 3 regts. Offrs. 200	Soldiers	2,000	
,, Madras 75 regiments, Do. 2,500	Do.	10,500	
,, Bengal 109 Do. 3,400	Do.	18,400	
6,100		30,900	Total 37,000
Bombay Civil servants,			180
Ceylon Do.		86	
Madras Do.		205	
Bengal Do.		447	738

The whole of the Troops and Civilians in Ceylon, and all those of Madras and nearly the whole in Bengal east of long. 78 would gain, as well as your Memorialists and others, by the delivery of the mails direct at Galle, Madras, and Calcutta, and the great disparity of numbers west of the line drawn, would indicate the advantage of abandoning Bombay as the sole Port for the receipt and transmission of the India Mails, until such time at least as the country becomes intersected by railroads. On these grounds your Memorialists would therefore earnestly solicit your Honorable Court to refuse your assent to any arrangement by which the largest number of H. M.'s and your servants and soldiers, as well as those engaged in trade in the East Indies, would be cut off from a direct Steam Communication with home; they would also further intreat, that the Clause in the Charter or Deed of the Peninsular and Oriental Steam Navigation Company, by which they are bound to run their vessels from any Port, which H. M.'s Government in concert with your Honorable Court shall dictate, may be waived, or so modified as to secure to this side of India the uninterrupted and direct Steam Communication so much needed and so long desired, for which boon, as in duty bound your Memorialists shall ever pray.

G. F. REMFRY,

Master, Calcutta Trade Association.

Calcutta, Trades, 1868.
December 1868.

G.

TO THE RIGHT HONORABLE LORD WILLIAM CAVENDISH BENTINCK,
G. C. B., GOVERNOR OF BENGAL, &c. &c. &c.

*The Memorial of the Master, Wardens
and Members of the Calcutta Trade
Association.*

RESPECTFULLY SHEWETH,*

That your Memorialists, from the extensive nature of their transactions with persons resident in the Mofussil, are in the habit of receiving and remitting sums to a considerable amount in the form of Hoondies on Native Shroffs, Drafts on the Pay-Masters, Orders on Agents, Bank Notes, &c &c.

That this system of remittance is attended with considerable uncertainty, great inconvenience, and occasional loss, and is expensive to all parties in consequence of the difficulty in procuring Hoondies, Drafts, and the fluctuating rate of exchange, frequent failures of the Native Shroffs, mis-carriage by dawk, and various other causes which have induced your Memorialists to bring the subject to your Lordship's consideration.

Your Memorialists would further beg leave to state, that the usual mode of remitting by Officers of the Army, is through the medium of the several Pay-Masters, which from the want of some wholesome regulation causes great inconvenience, much trouble, and frequent disappointment, inasmuch as the Pay-Masters sometimes refuse registering such orders, and on some occasions after the registry has been made, the drawers have cancelled them. Pay-Masters also refuse registering Drafts without an allowance of 2 per cent. commission, which not being sanctioned by Government, causes great dissatisfaction, and from the uncertainty regarding Drafts of this nature, your Memorialists never know when they are safe in accepting them.

Your Memorialists, therefore, entertain a hope that in consideration of the circumstances above stated, and the severe pressure of the times, your Lordship will feel disposed to sanction the adoption of some new system, by which the evils complained of may be removed, or at least modified, and that facility be given for remittances to and from the interior, with greater security and more certainty, and should it

be deemed advisable to establish a fee for any extra trouble or expense Government may incur, your Memorialists will be willing to pay it.

That your Memorialists do not presume to point out to your Lordship any particular course as the best remedy for the evil they complain of; but as they are taught to believe that your Lordship is never averse to the reception of suggestions respectfully submitted, they beg to refer to the practice which obtains under the Bombay Presidency.

That your Memorialists are not thoroughly informed of the arrangements by which the trading community are accommodated at Bombay; but if an inference may be drawn from results, it would seem that it is customary for an open account to be kept between the Presidency and the Mofussil Pay-Masters as respects the Army, and the Sub-Treasurer and Collector as regards the Civil Service, in virtue of which, the former disburses at the Presidency, such sums as the latter may apprise him have been received from Officers and Soldiers, at their respective stations, the notice of such deposits or payments being, (your Memorialists learn,) conveyed in the form of a remittance list, which is placed on a table at the offices of the Sub-Treasurer and Presidency Pay-Master respectively, between the twentieth and thirtieth of each month for the inspection of parties concerned. The system will perhaps be better understood by an examination of the annexed Form A of Remittance List.

That your Memorialists addressed this application to your Lordship in the conviction of your Lordship's disposition to entertain propositions, which, without involving any additional charge to Government, promise benefit to more than one class of the community, and a saving and convenience to the Civil and Military servants of the State.

Should their solicitations receive a favorable hearing, your Memorialists will have additional reason to acknowledge the benefits flowing from your Lordship's liberal administration.

On behalf of the Members,

A. ROGERS,
Master of the Trade Association,
W. H. HAMERTON,

Secretary,

Calcutta, March 4, 1835.

To A. ROGERS, Esq.

Master of the Trade Association,

SIR,

In continuation of Mr. Torrens' letter to you, dated the 7th ultimo, I am directed by the Honorable the Governor General of India in Council, to inform you that the Civil and Military Services have at present every requisite facility of making Remittances of Savings from their current* allowances, by Bill on the General Treasury; and further, that Individuals not in the services above mentioned, have the means of remitting money to Calcutta from the Provinces of Bengal, Behar, and Orissa, by Bills on the General Treasury for a Premium of one per cent. This however is an accommodation to the Public, which if it were very extensively demanded, it might be inconvenient to the Finance of the Government to continue.

With advertence to the complaint, advanced by the Trade Association, of the losses to which you are at present liable, arising from Failure of Shroffs, the unwillingness of the Drawees to pay, &c. these are casualties which the Government cannot reasonably be called upon to remedy: the honoring of Private Drafts by the Paymasters of the army, and their Registration of claims in anticipation of the allowances of an officer, are instances of accommodation not enjoined by any Public orders, and although not prohibited, it has not been considered desirable to encourage the former practice.

The Bombay Plan of Remittance by means of Lists, as described in your Memorial, appears to have no advantage whatever over the Bill system: the latter, on the contrary, is far preferable, as the party entitled to payment is always in possession of the Document by which it is to be obtained, except it is lost in conveyance, which very rarely occurs, and is easily rectified.

In respect to remittances to the Interior, you will find the Accountant General ready to grant Bills on the Treasuries there, for money

* The amount sale of a Bungalow is also remittable to the Presidency by a Military Officer through the medium of a Treasury Bill; Bona Fide remittances for Mess, and other Regimental Purposes, can be effected in the same way.

paid into the General Treasury ; provided there be surplus Funds to meet them, but, it is not to be expected that the Government will accumulate Funds, at the Public expence, to be drawn against for private convenience.

Under these circumstances the Governor General in Council regrets that he cannot render a more favorable reply to your Memorial.

I have the honor to be, Sir,

Your most obedient servant,

(Signed) G. A. BUSIBY,

Secy. to the Govt.

Council Chamber,
the 22nd April, 1835. }

H.

To W. C. HURRY, Esq.

Secretary, Municipal Committee.

SIR,

In accordance with the wish expressed in your letter of the 28th ultimo, that the Committee of the Trade Association should furnish your Committee with their suggestions or a plan embracing the better regulation of the Municipal Affairs of Calcutta, I am authorised to state their unanimous opinion, that the present method of assessment and disbursement by Government of the Municipal Funds, cannot but be unsatisfactory to the assessed, so long as they have no voice in the election of the public officers who control the levying and the expenditure of those funds—especially intended for the comfort and the safety of the inhabitants and the salubrity of the city of Calcutta.

With a view to placing the Municipal Affairs of Calcutta on a popular and satisfactory footing, the Committee of the Trade Association beg respectfully to suggest.—

I.—That the Court of Quarter Sessions be called into active operation as a Court of Appeal, as well as for sanctioning the levying of the Assessments and the controlling of all Municipal affairs.

II.—That a Court consist of the Chief Magistrate, as Chairman, and of all gentleman holding His Majesty's Commission of the Peace as Members.

III.—That a Court of Requests be considered as a Municipal Court, and its Commissioners elected by the householders annually—to be eligible for re-election.

IV.—That the Police of the city be entrusted to the Chief Magistrate, four Police Magistrates, and a Superintendent, as at present, but to be elected annually by the householders, and to be eligible for re-election.

V.—That the Conservancy of the city be entrusted to four Commissioners, to be similarly elected, with Magisterial powers and summary jurisdiction in all matters relating to Conservancy affairs—subject to Appeal to the Court of Quarter Sessions.

VI.—That the Assessment Funds, the Abkarree, the Lottery Fund, the surplus Fines levied at the Police and Court of Requests, and any other local and municipal funds, be placed under the management of the Police and Conservancy Departments, through the medium of a Town Receivor or Treasurer, subject only to the control of His Majesty's Justices in Court of Quarter Session assembled.

VII.—That a Charter of incorporation be granted to the inhabitants of Calcutta, empowering them to elect their own Magistrates, Commissioners, Deputies and Assistants.

VIII.—That the city be divided into four divisions, subdivided into wards ; each division having an Alderman, or Honorary Magistrate, a Police Magistrate, a Conservancy Commissioner, a Deputy Alderman, and an Assistant Commissioner, with suitable establishments.

IX.—The Police Magistrates and the Conservancy Commissioners to be paid—the Aldermen, Deputies and Assistants, to be honorary.

X.—The election of the Aldermen, Police Magistrates and conservancy Commissioners, to be submitted for approval to the Governor General in Council, who should possess a veto ; which, if exercised, a new election should take place.

XI.—The above named officers to be elected by householders paying a monthly rent of—Company's rupees, or upwards. ~~in their~~ in houses, their own property, of equal value.

XII.—That the Suburbs of Calcutta, from the lowest house in Garden Reach, to the highest house at Cossipore, two or three (or more) miles inland inclusive, be formed either into a separate Corporation—or be joined to Calcutta, by extending the boundaries. Garden Reach, Allipore, Entally and Cossipore, might each form a division, as in Calcutta, with Aldermen, Magistrates, Commissioners, and if necessary, Deputies and Assistants as in the City. The Suburbs to be subject, of course, to Assessment, which would cover the Conservancy and nightly watch: but it would be necessary for the Government to grant allowances to the Magistrates, if they were appointed and paid like the City Magistrates, but on lower salaries, say 500 or 600 per mensem.

If a plan founded on the above suggestions should be recommended by the Municipal Committee and approved by Government, the Committee of the Trade Association are prepared to enter more particularly into detail, as the subject has been frequently under their consideration; but they are not desirous, at present, to obtrude further on the attention of the Municipal Committee—nor until they are called upon to do so.

The Committee of the Trade Association beg to express their conviction that no difficulty would be found in inducing inhabitants of the middling class of society, for whom alone they speak, to exercise the liberties conferred on them of choosing their own Magistrates, Commissioners, &c. and of aspiring to such of the offices, whether honorary or paid, as they might be deemed eligible to fill.

I am requested to offer, personally, any further explanations of the sentiments of the Committee of the Trade Association, of which I am *ex officio* Chairman, and to state that should further evidence be required, I can submit the names of persons qualified to afford the information desired.

I have the honor to be, Sir,
Your most obedient servant,
R. S. THOMSON,
Master, Calcutta Trade Association.

Calcutta, 10th May, 1837.

W.M. COBB HURRY, Esq.

Secretary, Municipal Committee

SIR,

I have the honor to forward for the information of the Municipal Committee, the details of a plan for the Municipal Government of Calcutta, in furtherance of the suggestions respectfully submitted by a Committee of the Trade Association a short time ago.

That a change in the present system would be considered salutary, and that the public generally would support any plan which was grounded on popular election and gave the inhabitants an interest in the appropriation of the City funds, I am fully convinced from the sentiments expressed by the Members of the Trade Association and others.

The following resolution, unanimously carried at a full meeting of that body, gives assurance of their willingness to perform any duties that may be required of them, or to assist in carrying into effect any measures that Government may adopt for the improvement and advantage of the City,

Resolved.—That the Members of the Trade Association generally are fully disposed to co-operate in the measures now proposed for the establishment of a Municipal Government for the City of Calcutta, and they will individually be ready to devote a reasonable portion of their time to the fulfilment of any public duties which they may be called upon to perform."

With regard to the eligibility of the electors being fixed at twenty rupees monthly rent, and upwards, the Trades Committee have been guided by the Assessment returns, also by the information they have received as to the qualifications and respectability of those parties generally so assessed. The annexed scale exhibits a list of about five thousand voters for the four Divisions of Calcutta, a number (it is presumed,) amply sufficient for all the purposes of election and embracing all classes and creeds of the community.

That much good would result from dividing the Divisions of the City into Wards, and the appointment of Common Council-men over these Wards, the Trades Committee entertain no doubt; they are also of opinion that the utility of the Common Council-men would be

much increased by investing them with the powers of special Constables; their constant residence in the Wards to which they belong would enable them to act with promptitude on emergency, in all cases where the preservation of the peace required their interference.

The Trades Committee have refrained from offering any opinion in the suggestions now humbly submitted for a Municipal Government, as to whether any alteration in the Police establishment might not be beneficially introduced.

It is not their wish to interfere with present incumbents, should the Government feel disposed to adopt any change for the better regulation of the Municipal Funds, but they are convinced a very considerable saving would result from the inhabitants possessing a certain control over their disbursements as well as collection; that such items, for example, as the "Town Hall," in place of being chargeable to the Government at an expense of 14,000 Rupees annually, ought, under proper management, to yield at least a considerable return.

The deficit in the annual revenue employed and collected for Judicial and Conservancy purposes, as exhibited in Schedule (A), could perhaps be avoided during the present incumbency, and it has therefore been respectfully suggested that Government should grant a Lac of Rupees annually for five years to continue the efficiency requisite for these departments, during which period the Trades Committee are of opinion that the expenditure of the City could be brought within the limits of its income.

I have the honor to be, Sir,

Your obedient servant;

Calcutta, }
29th June, 1837. }
R. SCOTT THOMSON,
Master, Trade Association.

<i>Houses in</i>	<i>Rent below 20 Rupees per mo.</i>	<i>20 Rupees to 50.</i>	<i>50 Rupees to 100.</i>	<i>100 Rupees & upwards.</i>
1st Division	5,675	972	Particulars of each division not given, only the total	85
2d Ditto—	3,659	872		172
3d Ditto—	1,347	451		271
4th Ditto—	1,425	376		239
	12,106	2,671	1,056	767

From the Trade Association.

IT IS RESPECTFULLY SUGGESTED,

1. That a Charter of Incorporation, in revival of the Charter granted by H. M. Geo. II. dated 8th January, 1753, be granted to the inhabitants of Calcutta, empowering them to govern and manage all Local and Municipal affairs of the City of Calcutta, in terms of the Charter.

2. That ~~the~~ inhabitants be authorized to elect annually as a Municipal Government.

1 Mayor or Chief Magistrate.

4 Aldermen (one for each Division.)

4 Deputies (ditto.)

16 Councillors (one for each Ward or Sub-division.)

3. That to this body, to be denominated the Town Council, shall be referred the consideration of all Local Municipal affairs, with authority to hold Courts of Quarter Session, agreeably to the Original Charter granted to the City of Calcutta by His Majesty Geo. II. dated 8th January, 1753, as subsequently qualified by 13 and 14 Geo. III. and 9th Geo. IV.

4. That the Court of Quarter Sessions shall consist of the Mayor or Chief Magistrate, the Aldermen, the Magistrates of Police and such other Gentlemen as hold His Majesty's Commissions of the Peace.

5. That this Court, as authorized by the above recited Acts of Parliament, do sanction the levying of the City Assessment for watching and warding and ~~cleaning~~ and repairing the streets, at such rate as they may deem necessary and fitting and agreeably to the Act 38 Geo. III. and also do hear appeals from the decisions of the Magistrates of Police, also from the Court of Requests, and from all other Local Courts or bodies authorized to appeal thereto.

6. That the Local Funds specified in Schedule A. be placed at the disposal of this Court—who shall appoint a Treasurer or City Receiver—who may be the Accountant General or Sub-Treasurer, if deemed advisable by Government and this Court, otherwise such

person or persons as this Court may appoint, upon suitable salary, and with sufficient securities.

7. That the Court of Requests as at present constituted be considered a Municipal Court and its decisions subject to revision by appeal to the Court of Quarter Sessions.

8. That a Board of Conservancy be established to consist of four Commissioners, *i. e.* one for each division of the City. The Commissioners to have Magisterial powers, with summary ~~jurisdiction~~ jurisdiction in all matters relating to Conservancy affairs, subject to appeal to the Court of Quarter Sessions.

9. That the Police of the City, as at present, be intrusted to a Chief Magistrate, and four Magistrates, *i. e.* one for each division of the City, with the aid of a Superintendent and suitable establishment.

10. That the Suburbs of Calcutta from the lowest house in Garden Reach to the highest house at Cossipore, two or three (or more) miles inland inclusivo, be formed either into a separate corporation, or be joined to Calcutta, by extending the boundaries. Garden Reach, Allipore, Entally and Cossipore, might each form a division, as in Calcutta, with Aldermen, Police Magistrates, Commissioners, and Deputies as in the City. The Suburbs to be subject of course to Assessment, which would cover the Conservancy and nightly watch; but it would be necessary for the Government to grant allowances to the Magistrates, if they were appointed and paid like the City Magistrates, but on lower salaries, say 500 or 600 per mensem.

RECAPATULATION.

The business of the City will thus be managed in five Principal Courts.

1. The Town Council, the functions of which will be principally deliberative; and in which all alterations, improvements and suggestions, in Municipal affairs, will be primarily considered.

2. The Court of Quarter Sessions, as Judicial Court of Appeal, in which the Mayor or Chief Magistrate will preside.

3. The Court for the Recovery of Small Debts, in which three Commissioners divide the duties between them.

4. The Board of Conservancy, consisting of four Commissioners, subject to the Town Council.

5. The Police Office, with a Chief Magistrate and four Magistrates of Divisions.

An appeal lying from the three latter to the Court of General Quarter Sessions.

The City being divided into four divisions and each division into four (more or less) Wards—besides the Mayor, the Chief Magistrate of Police and the Chief Commissioner of Conservancy—there will be to each division an Alderman, a Police Magistrate, a Conservancy Commissioner and a Deputy Alderman, with establishments as specified in Schedule B ; also for each ward of each division, a common Councillor who will act in his ward, as will the Deputy in his division, in all elections and in the conservation of the peace—in aid of the Alderman, the Police Magistrate and the Conservancy Commissioner.

It is suggested that the Mayor or Chief Magistrate, the Aldermen and the Commissioners of Conservancy and of the Court of Requests, as well as the Police Magistrates, should be Justices of the Peace. That the Deputies of the divisions be sworn in as Chief Constables thereof, and the Councillors be all constituted special Constables—but of course, to be required to act only on emergent occasions.

That the Petty Court Jail, the House of Correction and all lock-up houses be, as at present, under the Chief Magistrate. The Mayor and Aldermen being at all times at liberty, and periodically required to visit the same and report upon their state to the Court of Quarter Sessions.

That there be in each division of the Town, an office in which the business of the division and its wards shall be transacted. The Alderman of the division to be the head thereof, with the assistance of his Deputy and a Chief Clerk, on such salary as may be deemed sufficient for the duties to be performed. The Conservancy business of the division to be also transacted in this office and generally all ward or division meetings held therin.

If the Government of Bengal place at the disposal of the Town Council, the funds specified in Schedule A, with a grant of one lakh of rupees per annum for five years, the Council will undertake to meet all the expenses specified in that Schedule and provide ways and means (if empowered) to supply any deficit, without calling on the Government, or abolishing any existing establishments, except such as may be found useless—without affecting the incomes of incumbents, whose salaries shall remain as at present. Provided always that performance of duties may be assigned to sinecurists, and that all persons employed in subordinate situations shall, as at present, be liable to dismissal for misconduct.

ELECTIONS.

The election of all Officers, viz. Mayors, Aldermen, Magistrates, Commissioners, Deputies of Divisions and Councillors for Wards should, it is considered, on principle, be annual, by ballot. If this be objected to, then it is suggested that the Mayors, Aldermen, Deputies and Councillors only be so elected, being eligible for re-election ; while the Police Magistrates and paid Commissioners be appointed for life, subject to removal by petition to the Court of Quarter Sessions, in certain cases to be specified.

The electors to consist of all householders, of whatever color or religion, occupying houses paying a rent of 20 rupees per mensem, or living in houses their own property or the property of other persons of equal value, as per Assessment returns.

The qualification for Tenants to be the production of a Landlord's or Agent's receipt for rent, for a period of at least three months next preceding the date of the election—and not more than two months in arrear. Persons residing in their own houses, or by permission in houses of others, to prove this fact before the Alderman of the Ward or his Deputy or other appointed Assessor.

The mode of election to be as follows :

1. A registered list of voters to be supplied by the Commissioner of the division, and to be kept in the office of the Alderman of the division, and on an appointed day all persons included in that list to

be at liberty to vote in person for any candidate who may have intimated his intention to stand a ballot for the vacant, or about to be vacated, office. The votes to be examined by Scrutineers, and publicly declared and recorded at the hour fixed for closing the ballot. Proxies not to be admitted.

2. The time and place of ballot, and the names of candidates, to be publicly announced at least ten days prior to the day of election.

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CITY OF CALCUTTA.

SCHEDULE A

Annual Income and Expenditure.

	<i>Income.</i>	<i>Expenditure.</i>
Court of Requests,	55,878	80,417
Assessment (A),	2,24,500	2,42,638
Police (B),	0	3,21,728
Abkarree,	1,46,700	10,100
European Distilleris,	22,000	12,900
Lotteries,	39,600	20,994
Town Hall,	0	13,729
Chowringhee Plain,	5,000	0
Fees, Fines and Escheats, &c.,	16,800	0
Convict Labor,	16,404	13,313
 Total.....	 5,26,882	 7,15,819

(A) Conservancy (Assessment)—

Establishment,	43,856
Contingent,	39,659
Repairing Roads,	49,615
Cleaning,	73,891
Repairing Bridges and Drains,	8,317
Charges of Collection,	27,300
 Total.....	 2,42,638

(B) Judicial (Police)—

Magistrates' Salaries,	1,00,000
Different Establishments,	41,175
Contingent,	28,512
Thannadaree,	1,43,899
Rent, &c. &c.,	8,142

	3,21,728

SCHEDULE B.

Additional Division Expenses.

4 Conservancy Commissioners,	400	1,600
4 Chief Clerks,	150	600
4 Houses for Office,	150	600
4 Writers, &c. &c.,	50	200
	Per Month,.....	3,000

SCHEDULE C.

Town Council Expenses.

A Secretary,	300
A Clerk,	100
Writers, Stationery and Petty Expense	100
	Per Month,....
	500

A Treasurer, (if required,) commission one per cent.

N. B. The expenses of all existing establishments to be as at present, or subject to the recommendations of the Municipal Committee.

D. MACFARLANE, Esq.

Chief Magistrate, &c. &c. &c.

SIR,

I am directed to inform you that the pamphlet containing your "View of the former and present state of the Calcutta Police," has, agreeably to your desire, been laid before the Committee of the Trade Association.

The Committee, after full consideration of the same at three separate Meetings made "special" for the purpose, have come to the following conclusions :—

I.—That as the plan tendered by the Trade Association to the Municipal Committee and printed in their proceedings, Appendix C. page clxx. has not met with the approval of that body—the Committee of the Trade Association are prepared to submit a revised plan, based on the proposals contained in your "View," above acknowledged, with certain modifications.

II.—The Committee of the Trade Association are very desirous that in preparing their revised plan, they should, if possible, have your concurrence. With this view they submit for your consideration that any plan of division of expense between the Government and the Town, assessing the Government with the smaller share, and the Town with the large share, and levying taxes on the people to twice their present liabilities to make up the difference, will create general dissatisfaction.

III.—That any plan subjecting the people to additional and unlimited taxation, but giving them no substantial and immediate control or authority over the Town Funds or establishments, and limiting their privilege to discussing and recommending measures, which it is quite optional in the Government to adopt or reject, will materially change their present position in no wise, except in increase of taxation, and will not afford sufficient inducement to exertion on the part of the people or their representatives. The consequences will be that although appearances may be somewhat different no real change will be effected, and the entire management and control of the Town affairs will in effect remain as heretofore with the Chief Magistrate, as the organ of the Bengal Government.

IV.—The Committee are of opinion that it will be worse than useless to attempt establishing any Town Council or Conservancy Commission, unless the Members thereof are vested with certain necessary authority and free control over the establishments, and the funds of the Town, and for the proper appropriation of which they should be responsible only to those who elect them. The Court Magistrate

might preside at all Meetings, *ex officio*, during the period of years, which is sufficient for "experiment," after which the Town Council might choose its own Chairman.

V.—The Committee propose—

1. That the salaries of the Magistrates, Superintendent of Police, and all establishments, as exhibited in Appendix C. of your "View," should be appointed and paid by Government, with the addition of the Police Hospital, Town Guard, Constables and Chokeedarree establishments, but deducting the salary of the Superintendent of Roads, which ought to be chargeable to the Town.
2. That the salaries of the Conservancy Department, including materials for repairing the roads and labor employed thereon, as exhibited in your Appendix C. but adding the salary of Superintendent of Roads, and deducting the items mentioned in the preceding paragraph, in all Rs. 2,31,864-5-10 be chargeable to the Town ; to meet which the net Collections of the Assessment ; the Receipts for Grass and Fish of Public Tanks, and the amount receivable for Hides of Dead Animals, yield 1,88,075 as stated in the memoranda attached to your Appendix. This will leave a deficiency, as appears by the annexed Table, of Rs. 43,789, which, it is apprehended, would be met by vigorous collection of arrears of assessment, and by the profits of the grass on the Chowinghee Plain, and Lottery Fund, and the proceeds of the Town Hall, if it were put under a new management.

The Committee do not ask for any immediate increase of taxation, but claim a right to extend the assessment from 5 to 7½ per cent. agreeably to Act of Parliament, if found necessary after trial of a year's experiment, unless a tax on wheel carriages, or a toll at the Town's boundaries should be deemed more advisable, after due consideration.

The Committee think it better that the Government portion of the allowance for watering should be made over to the Conservancy Department, who would undertake the duties as at present, and pay all in excess to 12,000 out of the Town Funds.

At the expiration of the first experimental year of the proposed

Town Council, (and from year to year afterwards,) a full report of proceedings, giving the results of the labor and experience of the Council in town affairs, would be submitted to Government, and the Committee have no doubt that under your able and experienced Presidentship, the result would be favorable to the Town and satisfactory to the Government.

Should you concur with the Committee in all, or any of the leading principles laid down in the early part of this letter, and feel disposed to confer with them on the subject, they will be happy to meet you at the Trades Hall on Saturday morning next, at 9 o'clock, or any day or hour or place more convenient to yourself.

I have the honor to be, Sir,

Your most obedient servant,

JOHN MULLER,

Secretary, Trade Association.

Calcutta,
25th July, 1840. }

(No. 451.)

TO THE CHAIRMAN AND MEMBERS OF THE TRADE ASSOCIATION,

CALCUTTA.

SIRS,

I have received your Secretary's letter of the 25th July last and perused it with great pleasure. Your entering upon the general question of Municipal Government must be gratifying to the Government, and it is to be hoped that your example in this respect will be followed by others.

2. In your letter it is proposed that the expense of the Police, meaning by that, the maintenance of Constables, Thannahdars, ~~and~~ Watchmen, should be borne by Government. It is of course highly desirable that a beneficial arrangement of this kind should not be endangered by setting popular feeling against it in the beginning. Still it is no less important that any public proceeding, the effects of which are to extend to remote times, be founded on a correct apprehension of facts and first principles applicable to the subject.

3. It will be for the consideration of Government whether the principles on which the Stamp Act* was applied to the Mofussil might not be held to be applicable here, and whether under their spirit and for the promotion of the desirable measure of self-government, Government might not be disposed to defray a considerable portion or the whole of the expense incurred purely for Police purposes, meaning the preservation of the peace and the prevention and punishment of crime. I add what is paid on this head by Government in the great towns in the interior, viz.

Dacca, Company's Rupees per month,..	..	1,633	5	10 $\frac{1}{2}$
Patna, ditto, ..	..	2,516	4	4
Moorshedabad, ditto, ..	..	4,080	1	6

4. This is not the place to discuss details. I conclude that you intend to leave the Esplanade wholly to the Government. Its expense is per month about Rupees 1,346-8-3 † ; what it yields is Rupees 400.

5. On one other point I am very doubtful. The bulk of the voters and majority of the Councils might want the practical good sense and intelligence to be found in the Trades Hall ; if the Committees were entrusted with large power it might be indiscreetly used to the injury of the cleanliness and good order of the Town. Some provision might be introduced in the new law preventing any reduction below a certain amount of Establishment not sanctioned by the General Council.

6. In framing your details I would recommend as a general scheme that the Act 23 Geo. 3. Cap. 52. Sec. 158 be recommended to be

* See Copy preamble annexed, Reg. VI. of 1797.

† Establishment, viz.

Dhurruntollah Tank Guard,	...	...	...	...	...	72	10	6
Half an Overseer's Salary,	...	...	...	...	...	52	4	0
Cooly Bazar Thaniyah,	...	...	...	...	...	154	9	9
Esplanade Peon,	...	...	...	...	...	5	0	0
10 Ditto Mollies,	...	...	...	...	...	30	0	0
8 Ditto Chokoedars,	...	...	...	...	...	32	0	0
Contingencies, average, .....	...	...	...	...	...	346	8	3
Total Co. Rs.	...	1,346	8	3		1,000	0	0

repealed, and to be re-enacted in a somewhat altered form, the preparation of which would detain this reply.

I am, Sirs, your obedient servant,

D. MacFARLANE,

Chief Magistrate.

*Calcutta, Police Office, }
7th August, 1840. }*

EXTRACT FROM 33 GEO. 3, CAP. 52.

Sec. 158. And whereas by an Act of the first year of the reign of his late Majesty King George the First, entitled an Act for making the laws for repairing the high-ways more effectual, provision was made for authorising Justice of the Peace in Cities and market towns, at their General or Quarter Sessions, to appoint scavengers for cleaning and repairing the streets of the same, and to raise money by Assessments upon the Inhabitants, for defraying the expenses thereof. And whereas by an Act passed in the seventh year of the reign of his present Majesty, to amend and reduce into one Act, the statutes for the amendment and preservation of the public highways, it was enacted, that the said recited Act of the first year of King George the First should be repealed. And whereas it is essentially necessary for the health, as well as for the security, comfort and convenience of the Inhabitants of the towns and factories of Calcutta, Madras and Bombay in the East Indies, that the streets therein should be regularly and effectually cleaned, watched and repaired. Be it therefore enacted, that it shall and may be lawful to and for the Justice of the Peace within or for the Presidencies of Fort William, Fort St. George, and Bombay respectively, for the time being, or the major part of them from time to time assembled at their General and Quarter Sessions, to appoint scavengers for cleaning the streets of the said towns or factories of Calcutta, Madras and Bombay respectively, and to nominate and appoint such persons, as they shall think fit in that behalf, and also to order the watching and repairing of the Streets therein as they respectively

shall judge necessary ; and for the purpose of defraying the expenses thereof, from time to time, to make an equal assessment or assessments on the owners or occupiers of Houses, Buildings and Grounds in the said Towns or Factories respectively, according to the true and real annual values thereof, so that the whole of such Assessment or Assessments shall not exceed in any one year, the proportion of one twentieth part of the gross annual values thereof respectively, unless any higher rate of Assessment shall, in the judgment of the Governor General in Council, or Governor in Council, of the said respective Presidencies become essentially necessary for the cleansing, watching or repairing thereof, in which case the said Governor General in Council or Governor in Council shall and may on any such urgent occasion, by order in Council, authorize a further Assessment, not exceeding in any one year of half part of the amount of the ordinary Annual Assessment hereinbefore limited, and that it shall be thereupon lawful for the said Justices to make a further Assessment, according to the tenor of such order, and not otherwise, or in any other manner, and that all and every such Assessment, or Assessments shall and may, from time to time, be levied and collected by such person or persons, and in such manner, as the said Justices by their order in session, shall direct and appoint in that behalf, and the money thereby raised, shall be employed and disposed of according to the orders and directions of the said Justices in session respectively, for and towards the repairing, watching and cleansing the said Streets, and for no other purpose, and that the said Assessments being allowed under the hands and seals of such Justices, or any two or more of them, shall and may be levied by Warrant, under their hands and seals, or the hands and seals of any two of them, by distress and sale of the Goods and Chattles of any person or persons, not paying the same within eight days after demand, rendering the overplus, (if any be,) to the same person or persons, the necessary charges of making, keeping and selling such distress or distresses being first deducted.

EXTRACT.

A. D. 1797, Regulation VI.

A Regulation for abolishing Regulation XXIII. 1793, entitled "A Regulation for raising an Annual Fund for defraying the Expense of the Police Establishments entertained under Regulation XXII. 1793." and for establishing new Fees on the Institution and Trial of Suits, in lieu of those prescribed by Regulation XXXVIII. 1795; and for levying a Stamp Duty on certain Law and other Papers and Documents, and a per centage on the Fees of the authorized Plead-ers in the Court of Civil Judicature, in the Provinces of Bengal, Behar, Orissa, and Benares; Passed by the Vice-President in Coun-cil on the 10th April 1797, (corresponding with the 31st Chyte, 1203 Bengal era; the 29th Chyte, 1204 Fuasily; the 31 Cheyte 1204 Wallaity; the 29th Chyte 1854 Sumbut, and the 12th Showal, 1211 Higeree.)

1. By Regulation XXIII. 1793, it was enacted that the annual expense of the Police Establishments in the several Zillahs and Cities in the Provinces of Bengal, Behar and Orissa, should be defrayed, under certain rules specified in the said Regulation, by the native merchants, traders, and shop-keepers, who never resided or had houses of trade, golahs, or shops, in any town or village, or in any gunge, bazar, haut or elsewhere. Difficulties, however, have been experienced in determining what persons were liable to be charged with the tax under the said Regulation, and also in fixing the amount to be assessed on the towns, bazars, and other places res-pectively, and the proportion to be paid by the several contributors residing or having commercial concerns therein; and frauds and exac-tions have in consequence been committed by the Assessors and Col-lectors, to the vexation of the contributors as well as to the diminu-tion of the produce of the tax. The Vice-President in Council has therefore resolved to abolish this tax; and with a view further to dis-courage the preferring of litigious complaints, and the filing of super-fluous exhibits, and the summoning unnecessary witnesses on the trial of suits, and also to provide for the deficiency which will be

occasioned in the public revenue by the abolition of the Police tax, as well as to add eventually to the public resources, without burthening individuals, he has resolved to substitute new fees on the institution and trial of suits, in the room of the Fees established by Regulation XXXVIII. 1795, and likewise to establish Stamp Duties on certain original deeds or papers, and all copies of deeds or papers which may be prepared and attested by the Cauzies or their officers, or the Mufties, and on all pleadings in courts of civil judicature, and on all copies of papers furnished by the said Courts and the Board and the Collectors of the revenue, and on all rowannahs issued from the department of the customs, and on certain written obligations for the payment of money and on the sunnuds of appointment granted to Cauzies and authorized pleaders in the Courts of Judicature, with a per centage on the fees paid to the latter.

(True Extract)

D. MACFARLANE,

Chief Magistrate.

To D. MACFARLANE, Esq.

Chief Magistrate, Calcutta.

SIR,

In reference to my letter to your address of the 25th July, 1840, and your reply of the 7th August last, adverting also to Act XXIV. of the year 1840, passed on the 7th December last, I am directed to inform you that the subject therein embraced, viz. the Municipal Government of the Town of Calcutta, has been for some weeks past under the consideration of the General Committee of the Calcutta Trade Association.

2nd. The Committee observe that by Section IV. of the Act No. XXIV. of 1840, it is declared that " whenever two-thirds in number and value of the rate payers of any of such respective divisions shall apply to the Governor of Fort William in Bengal to undertake themselves the assessment, collection and management of the rate of such division, or any or either of these trusts, it shall be lawful for

the Governor of Fort William in Bengal to authorise the same accordingly, at his discretion; provided always that such majority of rate-payers shall present a scheme which shall obtain his full approbation for the safe and efficient execution of the trusts, the transfer of which from the present authorities is sought for. Provided always that in any such arrangement, the amount to be levied in any particular division shall not be considered as necessarily limited by the amount expended within such division, but shall be adjusted by the Governor of Fort William in Bengal upon reference to all local circumstances."

3rd. The Committee understand by the passage from Act XXIV. above quoted, that although separate and perhaps different schemes may be proposed for the several divisions of the Town and approved by the Governor of Fort William, yet that the amount of assessment levied in any particular division shall have reference to all local circumstances, i. e. to the other divisions and general purposes of the Town.

4th. To avoid confusion and to ensure unity of procedure, and good understanding, it shall perhaps be found necessary that the representations of such divisions of the Town as may apply for and obtain the management of the funds alluded to, should have opportunities of meeting and deliberating on plans that may be suggested by individual representatives, or particular divisions, for the general good of the whole Town, which could not be otherwise conveniently effected, and without such communion the different divisions acting independently might counteract, or considerably embarrass each other; divisions not availing themselves of the provisions of the Act might be represented by the Magistrate of division, or other Officer appointed by Government.

5th. For the above purpose the Committee would recommend the establishment of a Town Council or General Conservancy Commission, to consist of the members of the different divisional Committees, and to be invested with the general control of conservancy affairs, so soon as two divisions of the Town are fully represented. The Chief Magistrate, or in his absence any Calcutta Magistrate, or other person selected for the Office to be President.

6th. The Committee of the Trade Association beg to submit for your consideration the annexed plan for a Town Council, including the separate Divisional Committees as Members thereof, and defining their separate and collective powers.

7th. Should you approve of the plan, or see no serious objection to it, the Committee, on behalf of the Trade Association, who are Inhabitants of the four Divisions of the Town, request you will be good enough to forward the same for the consideration of the Right Hon'ble the Governor of Bengal.

I have the honor to be, Sir,

Your most obedient servant,
(Signed) JOHN MULLER,

Secy. Calcutta Trade Association.

Calcutta,
9th July 1841. }

(No. 2.)

PROPOSAL FOR A TOWN COUNCIL AND FOUR CONSERVANCY COMMITTEES.

Calcutta, 9th January, 1841.

1st. That the general interests of the Town of Calcutta, including all conservancy, (cleansing and repairing roads, lighting and water-ing,) but excluding Police, be entrusted to a Town Council and four District Committees.

2. That the Town Council do consist of the Chief Magistrate as President; the Police Magistrates as Vice-Presidents and the Members of the District Committees as Common Councillors, who shall have power to levy an assessment annually and hold Courts of Quarter Sessions for such purposes, by Act of British Parliament 58 Geo. II. and Act XXIV. of 1849 of the Council of India.

3rd. That the District Committees do consist of the Police Magistrate of the division and four Members, to be elected by the inhabitants paying a rent of 50 rupees per mensem; (or occupying houses of their own of equal or superior value,) one of whom shall be chosen by the members as their Chairman.

4th. That to these Committees shall be entrusted the supervision of their own districts, subject to the general control of the Town Council.

5th. That the Collector of Assessment; the Assessors; the Clerk of the Peace; the Superintendent of the Roads; the Executive Officer and the Head Clerk and General Conservancy establishment, as it at present stands, shall be placed under the general control of the Town Council; and shall conduct the duties of the Town, as at present, ~~until~~ otherwise arranged by order of the said Council or authority of the Governor of Bengal.

6th. That all vacancies as they occur shall be filled up by election (ballot) in the Town Council, the superior appointments, Collector of Assessment, Clerk of the Peace, Superintendent of Roads, being subject to the approval of the Governor of Bengal, by whose authority their appointment will be notified in the official Gazette.

7th. That the Town Council shall in other respects be formed by the Act XXIV. of 1840, and the letter of the Trade Association to the Chief Magistrate, dated 25th July 1840, together with that officer's reply, dated 7th August 1840, as far as the said letter and its reply may be applicable to the said Act, and to the management of the affairs entrusted to the said Council.

8th. That the Sub-Treasurer, or Bank of Bengal, or Union Bank, as the Governor of Bengal may approve, be appointed Town Treasurer.

9th. That the Clerk of the Peace do act as at present, in convening Courts of Quarter Session, and other duties appertaining to the Assessment.

10th. That the present Chief Clerk of the Conservancy Department do act as Town Clerk, attending and recording all proceedings of the Town Council, &c.

11th. That the Meetings of the Town Council be held at the Town Hall, Trades Hall, Police Office or such other place as may be selected by the Council, and approved by the Governor of Bengal; and that the district Committees do meet at some convenient place within their respective divisions, and be authorized to pay for the same and such necessary establishment as may be sanctioned by the Town Council.

12th. Reports—Annual, Half-yearly, or Quarterly, as may be desired, shall be made to Government of the proceedings of the Town Council, besides such occasional communications as may be ordered by the Council or required by the Governor of Bengal or Governor General of India in Council.

(No. 25.)

TO THE MASTER AND MEMBERS OF THE TRADE ASSOCIATION.

GENTLEMEN,

I have the honor to acknowledge the receipt, yesterday, of your Secretary's letter of the 9th current, and to observe that the plan sketched by your Committee seems to coincide pretty nearly with that proposed by me in my letter to the Secretary to Government (printed and circulated) of the 13th December, 1839. Thus the Plan proposed by you has, in effect, been before the Government, and they having thought proper to adopt another, it seems to me that it would be quite vain to ask them to consider any Plan at all until that laid down in the Act of December last has been fully tried.

It appears to me that much more attention will be drawn to the new Act when the Justices declare that 6½ per cent. will be required to be levied, and that then the Government will have a much more comprehensive knowledge of the real wants of the inhabitants generally than can at present be gained.

At an early period probably the provision of clause 4th of the Act which requires* 2-3rds of the inhabitants in number and amount to

* The enumeration of the Chowringhee Division—i. e. South of Durrumtollah, gives the following :

Houses under one Rupee, Tax per Quarter	474
Ditto between one Rupee and 5 Rupees, ditto	1,081
Ditto above 5 Rupees, ditto	638
Total number of Persons Assessed	2,193
2-3rds of which would be	1,462

Thus if 400 or 500 of the intelligent and wealthy inhabitants were willing to petition Government, they would require to back their address with 9,000 or 10,000 of the very poor inhabitants paying from 6 to 30 Rs. monthly rent.

(Signed) D. MACFARLANE,

Chief Magistrate.

petition Government will require modification, but even that cannot in my judgment be asked for until a fair trial is made.

I am, Gentlemen,

Your most obedient servant,

D. MACFARLANE.

Calcutta Police Office, }
13th January, 1841. }

Chief Magistrate.

To D. MACFARLANE, Esq.

Chief Magistrate, &c. &c. &c.

SIR,

I am honored with your letter of the 13th instant, in reply to a communication addressed to you by the Secretary of the Trade Association dated the 9th instant, forwarding for your information and advice, a Plan for the Establishment of a Town Council.

I have this morning laid your letter before the Committee of the Trade Association, and am requested to state that they do not think the Plan proposed by them at all inconsistent with Act XXIV. of 1840, but, on the contrary, that their proposal was intended to give effect to that Act, they accordingly request that you will be good enough to forward their letter to Government for consideration, unless you have any disinclination to do so, in which case, they will themselves address the Right Honorable the Governor of Bengal on the subject.

The Division Committees will be moved in forthwith, if the Town Council be sanctioned as their head and medium of communication with each other, and with Government; but those most anxious to see the Division Committees established, do not think them capable of working under Act XXIV., to the advantage of the Town or their own comfort and respectability, without the connecting bond and support, as well as comfort, of the Town Council.

H. BURKINYOUNG,

Calcutta, Trades Hall, }
the 16th Jan. 1841. }

Master, Trade Association.

(122)

(No. 32.)

To H. BUBKINYOUNG, Esq.

Master, Trade Association.

SIR,

In reply to your letter of the 16th current, I have the honor to state that I have forwarded your Secretary's letter of the 9th instant, together with a copy of my reply of the 13th, to Mr. Halliday's Office.

I now send a copy of that letter, and beg to say that I will forward a copy of your present communication to the same authority.

I have the honor to be, Sir,

Your obedient servant,

D. MACFARLANE,

Chief Magistrate.

Calcutta, Police Office, }
18th January, 1841. }

(No. 26.)

To J. H. YOUNG, Esq.

*Deputy Secretary to the Government of Bengal,
Judicial Department.*

SIR.

I have the honor to forward in original a letter to my address from the Secretary to the Calcutta Trade Association, accompanied by a Plan, sketched by that body, for the formation of Municipal Committees, with copy of my reply, in order that Government may be made acquainted with what passes consequent on the promulgation of the New Municipal Rates Act, No. 24 of 1840.

I have the honor, &c.

D. MACFARLANE,

Chief Magistrate.

Calcutta, Police Office, }
15th January, 1841. }

(123)

(No. 64.)

To JOHN MULLER, Esq.

Secretary, Calcutta Trade Association.

SIR,

Annexed I have the pleasure to send copy of a letter to my address from Mr. Secretary Halliday, in reply to my communications forwarding the Association's proposal for a Town Council and Conservancy Committees, dated the 9th of January last.

I am, Sir,

Your most obedient Servant,

D. MACFARLANE,

Chief Magistrate.

Calcutta, Police Office, }
26th February, 1841. }

(No. 250.)

To D. MACFARLANE, Esq.

Chief Magistrate of Calcutta.

SIR,

JUDICIAL DEPARTMENT. I am directed by the Right Honorable the Governor of Bengal to acknowledge the receipt of your letters Nos. 26 and 33, of dates the 15th and 18th ultimo, with their respective inclosures on the subject of the formation of Municipal Committees.

2nd. In reply I am directed to request that you will explain to the Master of the Trade Association, the manner in which the new Act XXIV. of 1840, provides for the taking by association of the inhabitants, the management of the divisions of the Town into their own hands. It is His Lordship's opinion that until this privilege shall have been extensively taken advantage of by the Inhabitants of Calcutta, it would be premature to go further and to erect a General Town Council.

I am, &c.

F. J. HALLIDAY,

Fort William, }
the 16th Feb. 1841. }

Secy. to the Govt. of Bengal.

(No. 2296.)

FROM UNDER SECRETARY TO THE GOVERNMENT OF BENGAL

To R. C. LEPAGE, Esq,

Master, Calcutta Trade Association.

SIR,

I am directed to request that you will favor the Hon'ble the Deputy Governor of Bengal, with the opinion and remarks of the ~~JUDICIAL~~ Trade Association, on the provisions of the accompanying Draft Acts, viz :

“For constituting Commissioners for the improvement of the Town of Calcutta, partly by appointment of the Government and partly by election of the Rate-payers.”

“To enable the Commissioners who may be appointed under Act——, to purchase real or personal property for the improvement of the Town of Calcutta.”

I have the honor to be, Sir,

Your most obedient servant,

A. R. YOUNG,

Fort William,
25th Nov. 1846. }

Under Secy. to the Govt. of Bengal.

FROM R. C. LEPAGE,

Master, Calcutta Trade Association,

To A. R. YOUNG, Esq.

Under Secretary to the Government of Bengal.

SIR,

I have the honor to acknowledge the receipt of your letter No. 2216, dated the 25th of November last, forwarding a Draft Act “For constituting Commissioners for the improvement of the Town of Calcutta, partly by appointment of the Government, and partly by election of the rate payers;” also a Draft Act, “To enable the Commissioners who may be appointed under Act——to purchase real or personal property for the improvement of the Town of Calcutta,” requesting the Trade Association will favor His Honor the Deputy ~~Governor~~ with such remarks and observations as they may have

to offer on the provisions therein contained ;—and in reply to state that, with reference to Section 3rd, the Association are of opinion that it would be advisable to allow the rate payers to fix the salaries of the Commissioners, subject to the approval of Government, if such salaries are to be paid out of the funds collected by the Assessment and Carriage Tax ; with reference to Section 4th, that it would be advisable that the Commissioners should be made eligible for re-election, but to go out every fourth year ; with reference to Section 9th, that it should be specified what are to be considered Government carriages and carts ; with reference to Section 8th, that the salaries of the Assessors and Collectors should be fixed by the Commissioners with the concurrence of Government ; and, with reference to the Schedule, that cattle and carriages should be separately taxed.

2nd. As the Act does not state whether the Commissioners appointed by the Government, and those elected by the Rate-payers are vested with the same and equal authority, and are to receive the same amount of salary—the Trade Association are of opinion that such should be definitely set forth in the Act.

3rd. In Section 4 of the Draft Act, reference is made to the rate-payers, but it is not here defined who are to be considered the rate-payers—whether the Landlords, the Tenants, or the Payers of the Carriage and Cart Tax—and the Association would beg to observe that although the Tenant does not pay the Assessment direct to the Collector, yet he is, in fact, the indirect payer of the tax, and as such, the Association would suggest that every person tenanted a house of 25 Rupees per month and upwards, should be entitled to vote for the election of Commissioners.

4th. The Trade Association observe that there is no provision made for taxing the Carriages and Carts of persons who live out of the jurisdiction of the Supreme Court, but whose daily avocations bring them into Town, and they are of opinion that this should be definitely provided for.

5th. As no doubt His Honor the Deputy Governor is anxious that the Carriage Tax should fall as equitably as possible, and that it was with this view the Schedule was prepared, the Trade Association have, from the conviction that it would not answer the ends

required, devoted some time and consideration to the subject, and although they have found it extremely difficult to devise a plan which should make the tax fall lightest where it could least be borne, they beg to submit for His Honor's consideration the following plans.

No. 1.
CARRIAGES.

Class.	Description.	Value.	Rate per annum.
1.	Barouche, Landau, Britzka, Chariot and other 4 wheel spring Car- riages. The above—also Phæton, Brougham, Palkee Gharry & other 4 wheel spring Carriages	Rs 2,000 & up- wards,	Co.'s Rs. 24.
2.	The above—also of- fice jauns & other 4 wheel spring Carriages,	Rs. 1,000 and not exceeding Rs. 2,000,	Co.'s Rs. 18.
3.	The above—also other 4 wheel spring Carriages	Rs. 500 and not exceeding Rs. 1,000,	Co.'s Rs. 12.
4.	The above—also other 4 wheel spring Carriages	Rs. 100 and not exceeding Rs. 500	Co.'s Rs. 8.
5.	The above—also other 4 wheel spring Carriages	Worth less than Rs. 100,	Co.'s Rs. 4.
6.	Buggies and other 2 wheel spring Vehicles,	Worth Rs. 500 and upwards,	Co.'s Rs. 12.
7.	The above,..	Worth 100 & less than Rs. 500,	Co.'s Rs. 8.
8.	The above,..	Worth less than Rs. 100,	Co.'s Rs. 4.
9.*	Waggons or Carts without springs on 4 wheels,	Used to carry heavy goods	Co.'s Rs. 6.
10.†	Ditto ditto on 2 Wheels.	Ditto,	Co.'s Rs. 4.

* The tire of the wheel not to be less than

The tire of the wheel not to be less than
10 inches in diameter.

inches, { Otherwise double
inches, charge to be le-
 viable.

HORSES.

Worth 1,000 Rs. and upwards,....	Rs. 16 per annum.
500 and less than 1,000, . . . ,	12 . . . ,
250 and less than 500, . . . ,	8 . . . ,
100 and less than 250, . . . ,	6 . . . ,
Less than 100, ,	4 . . . ,

No. 2.

All 4 or more wheeled open Cariages on springs,....	Per annum, Rs.	32 0
All 4 or more wheeled close or railed Carriages on springs ..	7 0	
All 2 wheeled and less than 4 wheeled Carriages on springs, 16	0	
All Keranchees,		
All Hackeries,		5
All Carts,		
All Saddle Horses ...	18 0	
All Carriage and Buggy Horses and Ponies,	2 0	
All Drafts or burthen Oxen,	0 8	
All Tattoos	0 8	

No. 3.

That Carriages be taxed according to their weight and number of wheels, distinction being made in four-wheeled carriages, between open carriages, used chiefly for airing, and close vehicles, more generally used for business pursuits and use in day time, and that both open and close four-wheeled vehicles be classed as light, heavy, and medium weights: under this system much of the detail resulting from difference of size, value and description will be avoided.

The poorer classes of the community almost always employ the lightest description of carriage, the difference between the cost of light and heavy material, and the labor of working it being very considerable, while the cattle necessary for the draught of light vehicles are much cheaper.

To provide the means of determining any dispute as to the weight of a carriage, a weighing machine at three or four localities about the town, would be found both economical and practical.

That horses be separately taxed, without reference to their connection with carriages ; this mode it is suggested may avoid detail, and prevent dispute: many carriages are made for draught by one or two horses, and many persons keep only one carriage with two or three horses while others may keep two or three four-wheeled carriages and employ only one pair of horses—in reference, therefore, to the foregoing, it is suggested—

That all open 4-wheeled carriages above the weight of 16 cwt. be taxed at per annum, Rs. 24 0

All open 4-wheeled carriages of the weight of 12 cwt. and under 16 cwt. be taxed at per annum, 20 0

All open 4-wheeled carriages below the weight of 12 cwt. be taxed at per annum, 18 0

All close 4-wheeled carriages at and above the weight of 18 cwt. be taxed at per annum, Rs. 16 0

All ditto ditto weighing 14 cwt. and under 18 cwt. be taxed per annum, 14 0

All ditto ditto below 14 cwt. might be taxed per annum, 3 0

All 2-wheeled carriages on springs, weighing 6½ cwt. be taxed per annum, 12 0

All ditto ditto weighing below 6½ cwt. be taxed per annum, 6 0

Keranchees, Hackeries and Carts including Tattoos or Bullocks, each per annum. 6 0

All horses at and above 14 hands at per annum, 6 0

All ditto above 12½ hands and under 14, 5 0

All ditto below 12½ ditto, 4 0

No. 4.

1. That all Barouches, Britzkas, Pheatons and all other descriptions of open carriages hung on C. or C. and under springs, or in any other way hung on a *perch carriage* be taxed at per annum, Rs. 30 0

2. That all ditto ditto, Pilentiums, Pheatons, and all other descriptions of open carriages hung on elliptic springs or hung in any other way, <i>without a perch carriage</i> , be taxed at per an.	20
3. That all Landaulets, Landaus, Coaches, Chariots and all other descriptions of closed carriages hung on C. or C. and under springs, or hung in any other way on a <i>perch carriage</i> , be taxed at per annum,.....	24
4. That all Landaulets, Landaus, Coaches, Chariots, Clarences, and all other closed carriages of this description, hung on elliptic springs, or hung in any other way without a <i>perch carriage</i> , be taxed at per annum,	18
5. That all Palanquin Carriages, Domi-palanquin Carriages, Broughams, Brownberries and all carriages of this description, with the <i>convenience of a large door or a bottom door with sliding doors at top</i> , be taxed at per annum,	14
6. That all Office Jauns and all carriages <i>without the convenience of large, or bottom doors, but with straight bottom sides and sliding doors</i> , be taxed at per annum,.....	10
7. That all Buggies and all Vehicles on springs and two wheels, drawn by one horse, per annum,.....	12
8. That all Buggies, Curricles and all Vehicles on springs and two wheels, drawn by two or more horses, be taxed at per annum,	16
9. That all Keranchees, Palkee Gharries and all four-wheeled carriages of this description, generally used by sir-cars, writers and other poor natives, not exceeding in value Rupees	Rs. 5
10. That all Hackeries, Carte, &c. on two wheels without springs ; used wholly in the affairs of trade, be taxed at,.....	4
1. That all horses from 14 hands in height and upwards, be taxed at per annum,	Rs. 6
2. That all horses from 12½ hands to 14 hands in height, be taxed at,	

3. That all horses under 12½ hands in height, and all Ponies, Mules, Jackasses, &c. be taxed at,	4 0
4. That all Bullocks used in drawing Carriages, be taxed at, 3 0	
5. That all Bullocks wholly used in the affairs of trade, be taxed at,	0 8

6th. On the Act to enable the Commissioners to purchase real or personal property, the Trade Association has no observation to offer.

I have the honor to be, Sir,
Your most obedient servant,
R. C. LEPAGE,

Calcutta, Trade Rooms, }
22d December, 1846. }

Master.

From the Master, Calcutta Trade Association,

To F. J. HALLIDAY, Esq.

Secy. to the Govt. of Bengal.

SIR,

At a special meeting of the Trade Association held this morning, to take into consideration the working of Act 16 of 1847, for the improvement of the city and election of Commissioners, some doubtful points were remarked upon and discussed, which I have been requested to submit for the notice of the Hon'ble the Deputy Governor, and ultimately for that of the President of the Council of India. I have therefore the honor, on behalf of the Association, to inquire with reference to Section 2nd of the Act, whether the term "Rate-payers" is to be held applicable to occupants or proprietors of houses, and which of these classes will be entitled to the privilege of electing Commissioners ?

The Association would also respectfully solicit attention to para: 3rd of the letter from the Master, on this subject, dated the 22d December last, a copy of which is subjoined for more convenient reference.*

* In Section 4th of the Draft Act, reference is made to the Rate-payers, but there is no definition who are to be considered the Rate-payers, whether the landlords,

It will be obvious to the Hon'ble the Deputy Governor that, to confer on proprietors only, or their agents, the power of election would be to give it to a comparatively small number; and so far as many native owners are concerned, to a class of men unfitted from their peculiar views with respect to houses and lands, as well as their indifference to clean and widen streets, to exercise the privilege of electing officers whose duty it will be to improve the *sanatory* condition of the city.

On the other hand, if mere occupancy, without reference to the value of the tenement or holding, is to confer the right of voting, much confusion and litigation may ensue, and the subject of qualification which is touched upon in the latter part of the para: referred to, is therefore again offered for the consideration of Government.

The members of the Trade Association, being owners and holders of tenements in two divisions of the city, the quarters chiefly frequented by merchants, and persons having business to transact, are particularly interested in an early solution of the doubts now entertained as to who are to be considered rate-payers and voters.

They would also beg to be informed what salaries are proposed to be assigned to the Town Commissioners, many applications having been already made to members of the Association for votes, which in ignorance of the rate of remuneration, they are compelled to withhold, it being a matter of choice between a class of men with abilities and activity, who will give time and attention to the important duty indicated in the Act, and persons whose services will be offered for the lowest rate of remuneration, at which, however, they would be dearly purchased.

I have the honor to be, Sir,

Your most obedt. servt.

Calcutta, Trade Rooms,
30th October, 1847.

J. P. PARKER,
Master.

the tenants, or the payors of the carriage and cart tax, and the Association would beg to observe that although the tenant does not pay the Assessment direct to the Collector, yet he is, in fact, the indirect payer of the tax, and as such the Association would suggest that every person tonauing a house of 25 Rupees per month and upwards, should be entitled to vote for the election of Commissioners."

To Mr. J. P. PARKER,

Master, Calcutta Trade Association.

Fort William, 3rd November, 1847.

SIR,

I am directed by the Honorable the Deputy Governor of Bengal to acknowledge the receipt of your letter dated the 30th ultimo, ^{JUDICIAL.} and to inform you, that it has been referred for the consideration of the Government of India.

2. With reference to the concluding portion of your letter, I am instructed to state that the amount of salaries proposed to be assigned to the Town Commissioners, has been fixed at Co.'s Rs. 250 per mensem.

I have &c.,

W. GREY,

Under Secretary to the Government of Bengal.

To Mr. J. P. PARKER,

Master, Calcutta Trade Association.

Fort William, 9th November, 1847.

SIR,

Your letter of the 30th ultimo, having been referred for the consideration of the Supreme Government, I am now ^{JUDICIAL.} directed to communicate to you the sentiments of the Honorable the President in Council, as conveyed in the following extracts from a letter addressed by Mr. Secretary Bushby to this Government.

"The Trade Association enquire whether the term rate-payers is to be held applicable to occupants or proprietors of houses. The Legislature has strictly adhered to the terms which it found already established in the Law relating to the subject it was dealing with.

"The present Act does not make any person who was a rate-payer under Act XXIV. of 1840, cease to be so, nor does it make any person a rate-payer who was not so under that Act.

" It is suggested by the Master of the Trade Association, that the payers of the Carriage and Cart Tax, may perhaps be considered rate payers under the New Act. But the Act itself gives no countenance to such a conjecture. The Taxes are throughout studiously distinguished from the rates.

" The question then really asked, is, who are the rate payers under Act XXIV. of 1840 ?"

2. Premising that the Legislature can only now say what is the construction which it presumes a Court of Justice would put upon the words of the Law:—Mr. Bushby's letter proceeds,

" The President in Council thinks, that construction would be, that the term rate-payers as used in the two Acts, includes both owners and occupiers of houses, buildings and grounds.

" The statute authorized the justices to make an assessment on the *owners or occupiers*, and to levy it by distress and sale of the goods and chattels of any person, or persons not paying the same within eight days after demand, and under these provisions it seems clear that the justices could issue a warrant of distress against either one or the other at their discretion. Both were equally liable and both equally entitled to be called rate-payers.

" The Act of 1840, took away the necessity of issuing the warrant either against the owner or the occupier, and provided for its being issued against the property rated, (section 6,) and provided further, that the goods and chattels of the owner should be seizable any where, and that all property which should be found on the premises should be seizable for arrears which might be due for a period of one year immediately preceding such seizure, and that in ~~the case~~ of the seizure of the property of a tenant under such circumstances, he might deduct the amount of the levy from the next payment of his rent. (Section 7.)

" It appears to the President in Council, that, in a proceeding under these sections, the occupier as between himself and the assessing authority continued to be a rate-payer as he had been under the statute.

" The only effect of the new provisions in this respect was to make it more distinctly visible that, as between himself and the

owner of the property, the occupier could not be considered the rate-payer.

"It is to be observed that the Act does not repeal the provisions of the statue by which a warrant of distress may be issued against an occupier.

"This was the Act, which first offered to the rate-payer the assessment, collection and management of the rates, and the President in Council thinks the intention of the Legislature as collected from the Act cannot have been to exclude the occupiers by the provisions which are above discussed."

3. With regard to the fear expressed by the association that if "mere occupancy without reference to the value of the tenement or holding is to confer the right of voting, much confusion and litigation may ensue," the President in Council has remarked that this obviously cannot form a subject for consideration at present, but that if the mischiefs which the association apprehend should be found to result from the Law, the Legislature will of course be prepared to amend it by a New Act.

I have, &c.

W. GREY,

Under Secretary to the Government of Bengal.

To F. J. HALLIDAY, ESQUIRE,

Secretary to the Government of India,

Home Department.

SIR,

I have the honor to forward a memorial, on behalf of the Trade Association, addressed to the Hon'ble the President of the Council of India, praying for a repeal of clause 12 of Act 16, 1847, which we solicit the favor of your laying before his Honor.

I am, Sir, your obedt. and humble servant,

C. J. PITTAIR,

Master,

Calcutta Trade Association.

TO THE HON'BLE THE PRESIDENT OF THE COUNCIL OF INDIA.

*The Memorial of the Master and
Members of the Calcutta Trade
Association.*

MOST RESPECTFULLY SHOWETH,

That by clause 12 of Act 16 of 1847, the Commissioners for the improvement of this city are empowered to levy a tax upon carriages, carts, and horses, according to a Schedule thereunto annexed, in aid of funds for the purposes set forth, viz.

Formation of tanks and aqueducts, for the conveyance of water to all parts of the town.

Opening of streets and squares in crowded parts of the town, &c.

Filling up stagnant pools of water, and removing obstructions to the free circulation of air.

Lighting and watering roads and streets, cleansing and repairing the same, and the drains of the said town. Improving and embellishing the said town generally.

2nd. Your memorialists, who form a considerable portion of a practical class of the community which has general intercourse with the inhabitants, both Asiatic and European, are desirous of representing their belief, in common with that of the people generally, that the tax in question will be found insufficient for the purpose to which it is to be directed, that it is incapable of being effectually collected, and that a more perfect and certain result may be obtained from other sources.

3rd. That the operation of the tax bears unequally upon the community, and most heavily upon the larger and more humble classes of inhabitants, who do not keep vehicles for recreation and pleasure, but solely as conveyances to and from public offices and places of business, using the roads to and from such places only twice a day, traversing them in the lightest and cheapest description of wheeled carriage obtainable, and that consequently they feel the tax as a grievance, in as much as the climate renders some sort of conveyance absolutely necessary, and much time is lost if resort is had to palankeens, particularly where persons reside at a distance.

4th. *That the tax is one presenting great difficulties in its collection, involving as your memorialists believe, the necessity of a comparatively expensive establishment disproportioned to the amount it is estimated to yield, while from the heterogeneous mixture of people, the numerous communities of nation, religion and customs, that constitute the inhabitants generally, a large majority of whom are incapable of and unprepared for, the appreciation of a good system of conservancy, every means of evasion will be put in operation to avoid the tax on the part of the payers, and great difficulty will exist in checking and detecting collusion and dishonesty on the part of the native collectors.* The evidence of the house assessors before various Committees during the last 30 years, exhibits abundant proofs of the chicanery, and even violence, resorted to rather than pay the house tax, and the heavy arrears of assessment show how successful the defaulters have been, with the aid of their countrymen, who are employed and paid as collectors. This being the case with respect to houses, which cannot be removed, as horses and carriages may, during the call for quarterly returns, the chances against a successful result of the new tax appear to be more than doubled.

5th. In addition to these opposing elements, there is also the natural feeling of obstruction and hostility, from all who do not at once recognize the utility of the tax, to the surveillance that must necessarily be experienced in its collection. In proof of the feeling on this point, your memorialists need only refer to the daily newspapers, which have tecned for the last two years with protestations against the carriage tax; and, to the fact, that some attempt at organization was made and publicly announced for the purpose of opposing it; any connection with which your memorialists as a body disclaim.

6th. Your memorialists and those whom they represent, are fully alive to the neglected state of the town as regards want of sewerage, cleanliness, lighting, &c. and the absolute want of improvement set forth in Act 16 of 1847, as well as the necessity of providing against the inadequacy of existing means—they have been unable to obtain any other estimate of the amount of the horse and carriage tax than that appen-

ded to the Municipal Committee's report in 1840, in which the net collection is set down at Rupees 1,14,000. The Act has now been in operation seven months, and owing to the difficulties adverted to by your memorialists, they believe they are justified in asserting that the Commissioners have not been able to realize a tithe, or even one twentieth part of that estimate.

7th. The attention of your memorialists has therefore been directed to the advantage that would result in attaining the objects specified in the Act by abandoning the horse and wheel tax, and falling back upon other resources. Those as pointed out in the above mentioned report, by the Municipal Commissioners, dated 30th June 1848, are :—

The Abkaree Tax.

The Surplus Canal Tolls.

The Ground Rent of the Town.

Rent of the Chowringhee Plain.

Fees, fines, and escheats and balance at credit of the Court of Requests. These funds form a legitimate source of revenue for the conservancy of the city and comfort of the inhabitants, and your memorialists earnestly urge their appropriation to these important and useful objects. In the event however of any circumstances existing to prevent the transfers of these funds to the uses of the city and its inhabitants, your memorialists, as an ultimate resource, suggest an increase to the rate of assessment in houses and buildings.

8th. With respect to an increased assessment, the establishment for the collection of the present rate being tolerably effective and complete, little or no expense need be incurred by an addition to the amount now paid. The Act of Parliament under which the assessment is now levied, wisely provides for, and authorises an increase to $7\frac{1}{2}$ per cent. thereby recognizing a sound fundamental principle of taxation or revenue for conservancy purposes, in making that which inherently constitutes the town, viz. the houses, buildings, &c. pay, on the value of their rental, all the charges necessary for its conservancy. In this form the tax bears with perfect equality upon every class of the community, seeing that the tenant or occupier

is the real payer of the assessment. It is moreover the most practical and least capable of evasion. Your memorialists are aware that the levy or repeal of any impost in its first operation presses, for a time, on some portion of the community, but by increasing the rate of assessment, less disturbance of existing interests will result than in the imposition of the wheel tax: leases of houses and buildings within the town are seldom for long periods, and therefore but few house proprietors would be liable to the increased rate of assessment for a lengthened period without due return, and for such temporary liability they would be compensated by the general improvement of the town, and thereby an improvement in the value of their property.

9th. Under views expressed in the foregoing, your memorialists respectfully solicit a revision of that part of Act 16 of 1847, under which the horse and wheel taxes are levied, for which, as in duty bound, they will ever pray.

C. J. PITTA,

Master,

Calcutta Trade Rooms,
the 8th September 1849. }

Calcutta Trade Association.

TO THE MOST NOBLE JAMES ANDREW, MARQUIS OF DALHOUSIE, K. T.,

Governor General of India.

MAY IT PLEASE YOUR LORDSHIP,

That a Draft Act for constituting Commissioners for the improvement of the Town ~~of~~ Calcutta, partly by appointment of the Government, and partly by election of the rate-payers, was forwarded on the 25th of November 1846, by the Under Secretary to the Government of Bengal, to your memorialists, with a request that your memorialists would "favor His Honor the Deputy Governor with such remarks and observations as your memorialists might have to offer."

That your memorialists earnestly desirous for the better management of the conservancy of the Town of Calcutta, did, in compliance

with the request referred to, submit the remarks, copy of which is hereto annexed and marked with the letter A.

That your memorialists did, on the 30th of October 1847, address the Secretary to the Government of Bengal on the same subject; copy of which letter is hereto annexed and marked with the letter B.

That your memorialists did, on the 8th of September 1849, memorialize the Hon'ble the President of the Council of India, on the subject of the wheel tax, copy of which memorial is hereto annexed and marked with the letter C.

That your memorialists have watched with great solicitude the working of the Act 16 of 1847, and are constrained to observe, that the benefits which such an Act was calculated to confer on the public, and which it was intended should have been conferred, have been completely neutralized by confining the election of Commissioners to the landlords of houses, who are principally natives, indifferent to municipal improvement, or the removal of local nuisances; instead of the occupiers, who are, though indirectly, the actual rate payers.

That your memorialists have observed with regret, that the improvement in the drainage and cleansing of Calcutta, anticipated from the appointment of commissioners, has not taken place, and that the streets and lanes in Calcutta are in no better condition than they were under the original arrangement for the conservancy of the city.

That your memorialists are, nevertheless, of opinion that much good might accrue from the appointment of Commissioners of Conservancy, but are fully impressed with the belief that, that good can only be accomplished by placing the election in the hands of those persons who are most likely to be swayed by the interest which touch most closely their own personal comfort and convenience, and those persons are the occupiers of houses, and not the proprietors.

That your memorialists believe it possible to obtain efficient and active Commissioners on a much less expensive scale than the present, by conferring upon them the title of magistrate ex officio, and giving them a seat on the bench of magistrates in all matters of conservancy.

That your memorialists are impressed with the belief that good would arise from the practice of the Commissioners being required to forward to Government a *precis* of the proceedings of each meeting, so that the Government may be enabled to call for, and supply information on any particular subject under consideration.

That your memorialists are of opinion that the wheel tax should be immediately abolished, for the reasons set forth in their memorial of the 8th of September 1849, and that, in lieu thereof, the assessment should be raised to the maximum allowed by Act of Parliament, viz. 7½ per cent on the rent, after strict scrutiny shall have established the necessity of the measure; and that the election of Commissioners should be placed in the hands of every house holder occupying a house, paying a rent of 25 Rupees and upwards per month.

That your memorialists believe that it has ever been the practise in Great Britain to place the power of election, in the first instance, in the most influential and best educated portion of the community, and in due time to extend it to the less influential and poorer classes of the public, as education and knowledge may fit them for the important function. That the reverse of this practice has been adopted on the first introduction of the elective principle into India, by confining the election of Municipal Commissioners for the Town of Calcutta to the landlords, and by this means extending to the ignorant and corrupt owners of every straw hut, a right denied the most intelligent and independent portion of the community.

That your memorialists will be most happy to furnish any information within their power and ability on the subject of this memorial, and answer any question which your Lordship may be pleased to put to them.

Your memorialists have the honour to be, your Lordship's most obedient and humble servants,

C. J. PITTA_R,
Master, Calcutta Trade Association.

Calcutta Trade Rooms, }
the 8th March, 1850. }

A deputation of the Calcutta Trade Association having waited on the Governor General, by appointment, on the 28th March 1850, His Lordship was pleased to say—

GENTLEMEN,

I have read your memorial, and have much pleasure in receiving you, and will be happy to hear any remarks you have to make.

The Master of the Trade Association then addressed His Lordship as follow :—

MY LORD,

We have solicited this audience of your Lordship in consequence of the heavy complaints which reach us of the inefficiency of the conservancy of this great city, and more especially from the conviction that the periodical visitation of fatal epidemics to which it is subject, is mainly attributable to the absence of proper and effectual draining and cleansing.

We are averse to take up your lordship's valuable time by unnecessary observations, but we cannot allow the opportunity, so graciously afforded by your Lordship, to pass without bringing prominently to your notice our conviction, that the system under which the Conservancy of the Town of Calcutta is managed, is altogether unsuitable to the purpose for which it was established. It is neither efficient nor economical ; and the town and its inhabitants suffer accordingly.

To begin with the Conservancy management : The expence of Assessors and Collectors alone, under the present arrangements, is equal to 10 per cent on the gross collections for the seven months referred to in the last published report of the Commissioners ; and the total Establishment, exclusive of wages of laborers, materials, and contractors, taken at the rate set down for the month of July, is equal to 31 $\frac{1}{4}$ per cent on the gross amount of collections for the same period.

We would further respectfully press upon your Lordship's attention, that great difficulties must ever attend the collection of the wheel tax, as no means will be left untried, by a great portion of the

inhabitants, to avoid a correct return to the Assessors ; and that by raising the house tax, if necessary, to the maximum allowed by Act of Parliament (7½ per cent.) the amount of Assessment, (taking the sum realized in the seven months referred to in the Commissioner's report, as the basis of the calculation,) will be increased by Co.'s Rupees 138,595 per annum, or nearly double the amount of the wheel tax for the same period, calculated on the amount as assessed by the Commissioners for the 1st Quarter ; and that this additional sum could be collected without the additional establishment necessary for the collection of the wheel tax.

Should your Lordship be pleased to honor the Trade Association by calling upon it for a revised plan of Municipal Government, I have pleasure in assuring your Lordship, that it is prepared to furnish a scheme, which it is hoped will secure, not only the ordinary cleaning, lighting and watering the city ; but will also show how that efficient plan for a perfect draining and sewerage submitted by Col. Forbes to the Municipal Committee in 1828, may be effectually carried out.

Municipal improvement has, my Lord, engaged the attention of the Trade Association for many years, and more especially the attention of our original President and senior past master, Mr. Samuel Smith, as your Lordship will learn from the papers contained in the Report of the Trade Association, which that gentleman will have the honor to present to your Lordship.

MR. SMITH'S ADDRESS.

MY LORD,

The Master of the Association has already placed in your Lordship's hands the Bye-Laws of the Trade Association, which state its nature and objects and mode of working.

The Appendix to these Bye-Laws give some of our earlier transactions, and will inform your Lordship that the Trade Association was established in July 1830, on the recommendation from the Bench of Sir C. E. Grey, then Chief Justice of Bengal. Lord Wm. Bentinck, then Governor General, freely accorded to the Association the support

of his high approval, and on His Lordship's departure from India, in reply to our farewell address, expressed himself most kindly towards the Association.

I ask permission to read two brief passages which shew at once the objects and working of the Trade Association, and His Lordship's opinion of the usefulness of our labours :—

“ Your Association had, from its commencement, my best wishes for its success. The state of credit stood upon the most rotten ~~foot~~^{foot}—the fraudulent and unprincipled *alone* profited by it—the honest buyer and seller were the victims. It was not possible for the single efforts of the most honest tradesman to overcome the practice ; but the whole Trade have effected a thorough reform, most creditable to those who devised and accomplished it, and most useful to the public at large.

“ The further direction of your attention to objects of a more public nature, and unconnected with your immediate and separate interests, is highly laudable, and deserves particular commendation. The improvement of many of the municipal arrangements of this great city can best be promoted by the inhabitants themselves. But in this rapidly changing society, large associations only can ensure permanency of system, uniformity of execution, and perseverance in carrying it on, and incorporating with it all useful improvements.”

The subject now immediately before Your Lordship, has had the attention of the Trade Association for more than 15 years ; and my own practical working, as chairman of the Suburban Conservancy for nearly the same period : we are therefore not advancing crude ill-digested theories, but the results of long and practical experience, in other words we claim to know something of the matter which we are now discussing. Your Lordship will, however, find the subject fully treated of in the report which I have now the honor to offer to Your Lordship's notice.

I will not further encroach on the indulgence which has been shewn to us, than to repeat that should Your Lordship desire it, we are prepared, most promptly, to supply a scheme, in outline, for the management of the Conservancy affairs of Calcutta.

THE GOVERNOR GENERAL'S REPLY.

GENTLEMEN,

I have much pleasure in receiving your address, and shall be, at all times, ready to receive any member of the community who may have any thing to communicate. I wish it to be distinctly understood that no hesitation may be felt in resorting to me for the purpose of suggesting measures having for their object the public benefit.

With regard to the subject of your memorial, it is one in which I take a deep interest. I regret to say my time is very short and my departure cannot be averted; you will hardly believe it when I say I regret as much as any of you, the necessity for my leaving Calcutta.

With reference to the annoyance you complain of, I assure you that in this very house, I feel the inconvenience as much as any of you. I suppose, Gentlemen, you do not expect me to give you a distinct reply on this occasion: it would manifestly be improper in me to do so, as the consideration of the subject may involve an alteration in a fundamental Law. I cannot enter on it myself, but will lay it before the Council at the next meeting and give it my strongest recommendation, in the full confidence it will have their best attention, in which confidence I hope you share.

Should the working of the existing Law be found insufficient, and any alteration be required, I am quite sure a Law worthy of this great city will be framed.

You cannot, Gentlemen, expect me to give any distinct pledge, but I assure you that your memorial shall have my warmest support.

PLAN FOR THE CONSERVANCY OF THE TOWN OF CALCUTTA,

The General Conservancy of the Town of Calcutta, excluding Police, to be entrusted to a Town Council and four division Committees.

The Town Council to consist of the Chairman of each of the division Committees with the Chief Magistrate ex-officio as Chairman,

and two or more members to be appointed by Government as it may think fit.

The division Committees to consist of five members each, to be chosen by election of the householders, occupying a house, within the limits of the division, of 25 Rs. per month and upwards, each Committee to elect its own Chairman.

These Committees to have the supervision of their own divisions, and to submit, for the sanction of the Town Council, all propositions for repairs, alterations and improvements in their respective divisions.

The Collectors, Assessors, Superintendent of roads and general conservancy establishment, to be nominated by, and placed under the general control of the Town Council.

All vacancies in the division Committees to be filled up by election, and all the superior paid appointments to be subject to the approval of the Governor of Bengal, and to be published in the *Government Gazette*.

The Sub-Treasurer or Bank of Bengal, as the Governor of Bengal may approve, to be appointed Treasurer.

The Meetings of the Town Council to be held at the Town Hall, and the division Committees to meet at some convenient place within their respective divisions.

Annual, Half-Yearly or Quarterly reports, as may be desired, shall be forwarded to the Governor of Bengal at the earliest possible period after the expiration of the year, half year, or quarter as may be agreed upon by the Governor of Bengal; and special proceedings of the Town Council to be specially reported.

If after strict scrutiny into the appropriation of the house tax, it should be found insufficient for the purposes of conservancy; the rate be gradually, or otherwise, raised to the maximum allowed by Act of Parliament, viz., 7½ per cent; subject to the approval of the Governor of Bengal.

As it would be desirable to carry out the plan of drainage submitted by Colonel Forbes, to the Municipal Committee in 1838, or some other similar plan as speedily as possible, it is proposed, in order to effect this, that the Town Council be empowered to raise such a sum

as may be found necessary for the purpose, by the issue of debentures, or, if deemed preferable, notes of the value of 5 rupees to 100 rupees each ; and that, in order to give currency to these notes, the Government declare them a legal tender of payment within such limits, as to amount and jurisdiction, as may be deemed expedient.

The notes to be issued from the General Treasury to the credit of the Town Council, in such sums as the Government may deem expedient.

The notes not to be made payable on demand, but at such time and in such amounts as the Governor of Bengal in communication with the Council may direct : the cash to meet them to be paid into the General Treasury or the Bank of Bengal, as the Government may think fit.

The money raised in this manner to be strictly and solely applied to the carrying out of the plan of drainage submitted by Colonel Forbes to the Municipal Committee in 1838, or such other plan as the Government may think fit to adopt.

This plan once completed, the amount now expended on an ineffectual cleansing will be saved,

The sum required according to Colonel Forbes' estimate, for constructing the works necessary for an effectual drainage, canal, &c., is Co.'s Rs. 7,43,560 ; and with the addition of an 80 horse power steam engine, aqueducts, &c. to Co's Rs. 9,41,560 ; it will therefore be necessary to raise the sum of 10 Lacks of Rupees by the means proposed.

The means of paying off this sum are as follows :

The sum now expended in clearing the drains, as set down for the seven months of the Commissioners report, is about 31,000 per annum.

The additional amount of house tax at 2½ per cent will be equal to Co.'s Rs. 1,38,590 per annum.

These two sums will amount to Co.'s Rs. 1,69,500 per annum. If this sum be paid into the General Treasury annually in liquidation of the loan, it will in 6 years amount to Co.'s Rs. 10,17,000 ; so that in 6 years the loan could be paid off ; provided it was raised by the issue of notes not bearing interest. But should it be determined to

issue notes bearing interest, either at 5 or 6 per cent, it will require 8 years to pay off the loan as follows :—

IF AT 5 PER CENT. INTEREST.

10,00,000	....	Interest for 1 year,.....	50,000	
1,10,000	....	Principal paid off,.....	1,00,000	
			1,60,000	1st year.
8,90,000	....	Interest for 1 year,.....	44,500	
1,20,000	....	Principal paid off,.....	1,20,000	
			1,64,500	2nd year.
7,70,000	....	Interest for 1 year,.....	38,500	
1,30,000	....	Principal paid off,.....	1,30,000	
			1,68,500	3rd year.
6,40,000	....	Interest for 1 year,.....	32,000	
1,30,000	....	Principal paid off,.....	1,30,000	
			1,62,000	4th year.
5,10,000	....	Interest for 1 year,.....	25,500	
1,40,000	....	Principal paid off,.....	1,40,000	
			1,65,500	5th year
3,70,000	....	Interest for 1 year,.....	18,500	
1,40,000	....	Principal paid off,.....	1,40,000	
			1,58,500	6th year.
2,30,000	....	Interest for 1 year,.....	11,500	
1,50,000	....	Principal paid off,.....	1,50,000	
			1,61,500	7th year.
80,000	....	Interest for 1 year,.....	4,000	
80,000	....	Principal paid off,.....	80,000	
			84,000	8th year.
		Total Co.'s Ra... 12.24.500		

IF AT 6 PER CENT. INTEREST.

10,00,000	....	Interest for 1 year,.....	60,000	
1,00,000	....	Principal paid off,.....	1,00,000	
			1,60,000	1st yea

9,00,000	....	Interest for 1 year,.....	54,000	
1,00,000	....	Principal paid off,.....	1,00,000	
			1,54,000	2nd year.
8,00,000	....	Interest for 1 year,.....	48,000	
1,20,000	....	Principal paid off,.....	1,20,000	
			1,68,000	3rd year.
6,80,000	....	Interest for 1 year,.....	40,800	
1,20,000	....	Principal paid off,.....	1,20,000	
			1,60,800	4th year.
5,60,000	....	Interest for 1 year,.....	33,600	
1,20,000	....	Principal paid off,.....	1,20,000	
			1,53,600	5th year.
4,40,000	....	Interest for 1 year,.....	26,400	
1,40,000	....	Principal paid off,.....	1,40,000	
			1,66,400	6th year.
3,00,000	....	Interest for 1 year,.....	18,000	
1,40,000	....	Principal paid off,.....	1,40,000	
			1,58,000	7th year.
1,60,000	....	Interest for 1 year,.....	9,600	
1,60,000	....	Principal paid off,.....	1,60,000	
			1,69,600	8th year.
		Total Co.'s Rs. . .	<u>12,90,400</u>	

FROM THE PRESIDENT OF THE CALCUTTA TRADE ASSOCIATION,
To W. SETON KARR, Esq.,

Under Secretary to the Government of Bengal.

SIR,

I have the honor to acknowledge the receipt of your letter No. 2,450, dated the 9th ultimo, to the address of the Calcutta Trade Association, forwarding the draft of an Act for constituting Commissioners for the Improvement of the Town of Calcutta, with a request that His Honor the Deputy Governor may be favored with any observations or suggestions on the provisions of the Act, which may appear to the Association necessary.

2. In reference to the above communication, and to previous correspondence on this subject, I would premise that the municipal Government of the Town of Calcutta first engaged the attention of the Association in 1834; in May 1837, the Association, on a request from the Secretary to the Municipal Committee then sitting, forwarded a plan for the Municipal Government of the town of Calcutta. In 1840 a pamphlet on Municipal Government was referred by Mr. D. MacFarlane, Chief Magistrate, to the Association for their opinion, which led to some correspondence between the Chief Magistrate and the Committee of the Association. On the 1st of August 1840, the Chief Magistrate attended the Committee of the Association for the purpose of discussing the subject, which resulted in the Committee of the Association submitting to Mr. MacFarlane a proposal for the Town Council and four conservancy committees, with a request that the same might be submitted for the consideration of Government; Mr. MacFarlane in a letter dated the 13th Jan. 1841, stated that he considered such a measure unnecessary, but on a further representation from the Association, the letter and plan of the Association, together with Mr. MacFarlane's objections, were forwarded to Government in original, accompanied by a short letter from Mr. MacFarlane.

3. His Honor the Governor of Bengal considered the proposition of the Association to erect a general Town Council premature. This opinion was communicated to Mr. D. MacFarlane in a letter addressed to him by Mr. Secretary F. J. Halliday, dated the 16th February 1841.

4. The Act XXIV of 1840; the Act XVI of 1847; and the Draft Act now received, all shew that the opinions and sentiments which influenced the Government in 1841, continued to exercise that influence; although the Government has been under different rulers during the period. It is a subject of much regret to the Association that the opinion and sentiments of Government should be so firmly fixed, because the members of the Trade Association, and they believe also the great Majority of the thinking portion of the public, conceive that the Acts that have as yet been put forth, have been cal-

culated to produce the impression that very important measures of a social and sanitary nature, affecting a large and populous town, are not favorably considered by the Government.

5. In November 1846, the Draft of Act XVI of 1847 was referred to the Trade Association for their opinion and remarks; and on the 22d of December 1846 a letter was forwarded to the Under Secretary to the Government of Bengal suggesting certain alterations in the Act; but it does not appear that these suggestions met with the approval of the then existing authorities, although the present Draft Act has an apparent approach to the suggestions submitted.

6. In September 1849 a memorial was presented to the Hon'ble President of the Council of India, praying that the horse and carriage tax might be rescinded, and suggesting certain other sources from which funds for municipal purposes might be derived, and in case of objection to these, that the Assessment should be raised from 5 to 7½ per cent, (if necessary,) as contemplated by the Act of Parliament.

7. On the 8th of March 1850, a memorial was forwarded to The Most Noble The Governor General of India, on the Municipal Act generally, and especially praying that the wheel tax might be abolished, for reasons therein given. On the 28th of March 1850, a deputation from the Association waited on His Lordship, by appointment, and pointed out many objections to the working of the Municipal Act as it then stood, and at the same time, stated their willingness to furnish a plan which they considered would effectually provide for the proper Municipal Government of the town.

8. The memorial reiterated the opinion of the Association, that raising the assessment from 5 to 7½ per cent, would be a more equitable as well as more effective mode of raising funds than the imposition of a wheel and horse tax.

9. A plan for the conservancy of the town, and for raising funds for the purpose of effecting the improvements suggested by Col. Forbes in 1838, was subsequently submitted to the Secretary to the Government of India in the Home Department; but it does not appear that these suggestions received the consideration which the Association believed they deserved.

10. Having again been honored by the request that the opinions of the Association may be submitted to the Governor of Bengal ; the provisions of the Draft Act ; the several memorials of the Trade Association on the subject ; the plans submitted to the Municipal Committee ; the Chief Magistrate, and the Most Noble The Governor General of India, have all been brought under consideretion ; and the Association, under the indulgence afforded them, venture to trespass on the attention of His Honor, to enlarge upon the views they have already expressed.

11. The Association as a body entirely concur in the necessity for raising the given amount of funds necessary for preserving the town in a sanitary condition, and maintaining the health and securing the convenience of the inhabitants ; and they feel much anxiety that such funds should be provided from the least objectionable source.

12. Looking to the principles that regulate a sound system of taxation, its economy in realization, and its equal and just pressure upon all classes, the Association are of opinion that no tax so entirely combines these essential principles as a rate upon the aggregate rental of all buildings, erections, and enclosures; comprehended within the town : in its operations, throughout its ramifications, it would be found to act with universal justice, and a duly proportioned pressure upon every gradation of society ; it is inherent in and concomitant with the growth of the town, and is the primary charge upon it ; standing in the same relation to it, as the provisions made in all industrial works of commercial enterprize, against wear and tear. The occupants of a town may be looked upon as the customers and employers of the proprietors of houses and buildings, and out of the returns of the transactions do the latter, through the instrumentality of the former, provide for and maintain, not only the repairs of the buildings, but the healthy and habitable condition of the town.

13. Such being the origin and operation of a town wear and tear rate, it becomes an important question for consideration, to determine to what extent its principle shall be carried out, or upon what ground its operations should be limited to the present existing rate, and new sources of town revenue be sought for.

Practical experience hitherto has proved, that the house assessment is the most productive and the most equitable, as well as most easily realizable of all sources of town revenue; while to a population such as that of Calcutta, it is the least liable to question or evasion; these considerations lead to the conclusion, that it would be better to hold by a sound and definite principle, and rely upon a main and never-failing source, like the house assessment, than depend upon doubtful collateral taxes, open to the charge of vexatious and inquisitorial proceedings, in realization.

15. The horse and wheel tax is realized from the same body or classes of rate payers, as the house assessment; but through indirect rather than natural channels; and a new organization and establishment being necessary for its realization, its value and utility must necessarily be considerably deteriorated and wasted.

16. Persons interested in house and landed property in Calcutta, may conceive, doubtless, that their interests would be affected, and their property depreciated in value by an increase to the house assessment, and it is probable such might temporarily be the case; but to a very unimportant extent. In all changes of taxation, whether of levy or repeal, some portion of the community is affected thereby, but in a legitimate and paramount source, like that of the house assessment, the interests of parties concerned, should yield to the general good.

17. The existing establishment connected with the realization of the assessment, may be brought to work with economy and simplicity, and rendered efficient for the realization of a large increase; but for the realization of a horse and wheel tax, a new establishment has become necessary, new registers of rate payers, records of accounts, complicated with various forms of procedure, and the periodical inquisitorial calls upon the rate payers, forming a detail calculated, it is feared, to provoke hostility and evasion, resulting in litigation and punishment, rendering the tax a source rather of demoralization than benefit to the town, a stimulus at all times to be avoided; but especially with a population so varied, prejudiced, and disinclined to provide for social comfort, as are the great majority of the inhabitants of this town.

18. That landlords are not really the payers of the house assessment, will, it is believed, be admitted for the reasons hereafter mentioned.

19. Houses when unoccupied pay no assessment : if the assessment be not paid by the landlords, when occupied, notice is served on the tenant, and his property seized in default of payment.

It is true the Assessment Act provides for reimbursing the tenant the amount of the levy, but not for the value of his property seized, should circumstances oblige him to allow it to be sold for one half its cost, or less. If the landlords be really the responsible payers of the assessment, on what equitable grounds is the property of the tenant made liable to seizure, and his privacy, comfort, and respectability violated? It can only be that he, the tenant, was considered by the framers of the Act as the virtual payer of the tax.

20. It appears to the Association, that if the landlord is the payer of the assessment, no reason can be assigned why he should be exempted from payment when his house is untenanted ; tenanted or untenanted, the roads, lighting and draining require to be sustained ; were it not so, and a few buildings in any locality became vacant, thereby suspending the operation of the conservancy, as regarded those buildings, the effect would be to reduce the rent and value of them, as well as adjacent buildings, and consequently rapidly to deteriorate such locality ; resulting in other vacancies, and extending and enlarging the area of deterioration and decay to the injury of the town, and the detriment of the proprietors.

21. That proprietors are not called upon to sustain the conservancy charges when their properties are untenanted, proves that it is the tenant or occupant who sustains the conservancy ; such being the case, it follows that the principle of raising the town conservancy funds from the town itself is the most direct, economical, and beneficial to all classes of the community ; while it is most convenient for realization and difficult of evasion. This view the House of Parliament has recognized in the Assessment Act, in providing, at so early a period, for its increase to 7½ per Cent.

22. The Association are unwilling to recommend that untenanted

houses should be taxed, because a house untenanted is the same as unproductive capital ; but when a house is tenanted, they strongly advocate that the tenant should be made to pay, if the necessities of conservancy demand it, the full amount of assessment allowed by Act of Parliament, viz. 7½ per cent. deducting the same from the rent paid to the landlord or otherwise as may be arranged between them, and as is the custom in England.

23. In urging this, they would strongly recommend a revision of the Assessment Act; that the Assessment be made payable monthly in advance, collected at the house, and that the whole town be divided for this purpose into convenient divisions ; that a respectable resident of each division be appointed tax-gatherer, with an allowed per centage, varying according to the aggregate collection of each division ; that is, that the per centage should be highest in that division where the aggregate amount of assessment is lowest ; and the per centage lowest in that division of the town where the aggregate amount of assessment is highest.

24. The Association are of opinion that the division of the town into two portions only, having one Commissioner for each portion, is calculated to result in failure. It would be better, in the opinion of the Association, if the town were divided into six divisions ; certainly not less than four, with four division Committees consisting of five members each.

25. The arrangement contained in clause 4 of the Draft Act, appears to the Association to be objectionable, because it seems to them that the whole power and authority of the Board will be in the President and his casting vote ; at least it appears to them, that there is good reason to apprehend such a result. There being an evident desire on the part of Government to try the introduction of popular elections, the Association are of opinion, that it should be effected in such a way, as to afford scope for independent action ; but with a body of four, two of whom are nominees of Government, one having a double vote, the effect will be to neutralize the elected or popular members, and the result will be that Commissionerships will be sought only by men who have objects in view altogether apart from advan-

tage to the town, and the comforts of the inhabitants ; while men whose services and experience would be most valuable, men of independent mind, and position, will be excluded.

26. The Association beg further to remark that the qualification for voting, as contained in section 6 of the Draft Act submitted, excludes all persons who keep a buggy and horse only, or a four-wheeled carriage and horse only ; and as the Association are of opinion that a great number of respectable persons are thus deprived of a voice in the Municipal business of the town ; although they may occupy a house the assessment of which would give them more than one vote, the association submit this as an additional reason, why the wheel tax should be abolished, and every person occupying a house paying a rent of 25 Rs. per month and upwards, have a vote in the election of members of the Divisional Committees.

27. The Association, in order that the views they entertain may be the more clearly understood, have taken the liberty to make such alterations in the accompanying half margin copy of the Draft Act forwarded to them, as they consider necessary to convey some idea of the nature of the Act which they deem necessary, to give a fair, and effectual trial, to elective Municipal Government.

28. The Association, in submitting their observations on this important subject, earnestly hope for the favourable consideration of Government.

I have the honor to be,

Sir, your most obedient servant,

SAMUEL SMITH,

Per my. President, C. T. A.

Calcutta, Trade Rooms, }
7th January, 1851. }

Act No. — of 1851.

For constituting Commissioners for the Improvement of the Town of Calcutta.

Whereas Act XVI. 1847 for constituting Commissioners for the Improvement of the Town of Calcutta has been found inconvenient

and ineffectual for the intended purposes thereof, It is enacted as follows :

I. Act XVI. 1847 is repealed, except as to anything done or forborne to be done under the said Act before the passing of this Act, but not so as to revive Act XX. 1840

II. The several schemes of election agreed upon by the owners and occupiers of assessed houses, buildings and lands in each division of the Town, and the rules made by the Commissioners, severally approved by the Deputy Governor of Bengal and President of the Council of India in Council, in pursuance of the said Act, are rescinded and annulled.

III. For the purposes of this Act the Town of Calcutta shall be divided into [two]* *four* divisions; that is to say, a [northern and southern] *North East, North West, South East, and South West* division, by a line passing from the river Hooghly at the old Fort Ghaut along the centre of Fairlie Place, Clive Street, the street on the northern side of Tank Square, Loll Bazar, Bow Bazar and Boita-connah; and by a line passing from the north end of Chitpore Road, south as far as Colootollah street, along Colootollah street, east to College street, south through Wellington street, Wellesly street and Wood street, into the Circular Road, or such other [two] *four* divisions as the Governor of Bengal, from time to time, may appoint: and, whenever any new division shall be made, the provisions of this Act, with respect to the divisions herein defined, shall be deemed to apply thenceforth to such new divisions.

[IV. There shall be four Commissioners for executing the powers of this Act, who shall be styled the Commissioners for the improvement of the Town of Calcutta, of whom two shall be appointed by the Governor of Bengal, and two shall be elected as hereinafter provided, that is to say, one for each division of the said Town.]

IV. *There shall be one central and four division Committees, for executing the powers of this Act.*

V. The Commissioners shall enter upon their office on the ()

* The alterations and amendments proposed by the Trade Association are printed in italics, and the proposed omissions placed within brackets.

day of () 1851, and on the First day of January in each succeeding year, and shall hold their office regularly for one year, or until their successors are duly constituted ; and until the first constitution of Commissioners under this Act, the Commissioners now acting in the execution of the said Act XVI. 1847, shall exercise the powers of this Act, and shall be deemed Commissioners under this Act.

V. *The four Division Committees shall consist of five members, each to be elected by the rate-payers of the respective divisions, and each division Committee shall elect its own Chairman.*

VI. Every person is entitled to vote in the yearly election of [a commissioner] *the division Committees under this Act, who [is rated in respect of any] occupies a house, building or ground in either division of the said Town, [not less than three rupees in the whole for a quarter of a year,] paying a monthly rent of not less than twenty rupees, and who has paid the taxes due from him in respect of at least one quarter of the previous twelve calendar months.*

VI. *The Central Committee shall consist of six members, two of whom shall be appointed by the Government of Bengal, and the other four shall be the Chairmen of the four division Committees, all of whom shall be styled Commissioners for the improvement of the Town of Calcutta. The Central Committee shall elect its own Chairman.*

VII. Every person entitled to vote, whose [quarterly rates are in the whole not less than twenty rupees,] *monthly rent is not less than one hundred and ten rupees, is entitled to two votes, and if not less than [fifty] two hundred and thirty rupees to three votes.*

VIII. Each voter is entitled to vote in that division only in which he is rated to the amount which constitutes his qualification : and the qualification of a voter to have one, two or three votes, must be complete in the division : but a person who is rated to the qualifying amount in each division, may be entitled to vote in both.

IX. All elections under this Act shall be under the management of the Sheriff of Calcutta, who shall appoint a sufficient number of Deputies to help him in presiding thereat : and every Deputy, while

so acting for the Sheriff, shall have the same powers and duties as the Sheriff with respect to the division for which he is acting.

X. The elective [Commissioners] Committees shall be chosen for the year 1851, on the () day of () 1851, in the Town Hall of Calcutta, and for every following year on a day after the twenty-fifth day of December and before the First day of January, to be appointed in each year by the Sheriff of Calcutta, of which day and also of the place of election after the first, the Sheriff shall give notice by advertisement in the Calcutta Gazette thirty days least before the day of election.

XI. The place of election for each division of the Town shall be the Town Hall of Calcutta, or such other place as the Sheriff, with the sanction of the Governor of Bengal, shall, from time to time, appoint.

XII. The voting shall begin at eight of the clock in the morning, and end at five of the clock in the afternoon of the appointed day; but the Sheriff, if he thinks fit, may declare the election completed for any division in which no vote is tendered for any candidate during any period of thirty minutes after ten of the clock in the morning.

XIII. Every person qualified to vote in the election, and none other is qualified to be appointed or to be a candidate for election, as a [Commissioner] member of the Division Committees.

XIV. Every candidate shall, ten days at least before the day of election, give notice thereof in writing to the Sheriff, naming the division for which he is a candidate, and shall at the same time produce to and leave with the Sheriff a certificate from the Secretary to the Commissioners that he is qualified to be a candidate.

XV. All expenses of the election of Commissioners, including the expence of advertising the time and place of election, shall be defrayed by the candidates; and every candidate shall, at the time when he produces to the Sheriff his certification of qualification, deposit with the Sheriff the sum of two hundred rupees towards the expenses of the election, and in default thereof shall not be qualified to be elected.

XVI. If the whole amount so deposited shall not be spent by the Sheriff in such election, the residue shall be returned to the candidates in equal proportions; and, if the whole amount so deposited is not enough to defray the expense of such election, the Sheriff shall be entitled to receive from each candidate his proportionate share of the surplus expense, and in default of payment may sue for and recover the same as money spent on behalf of such candidate.

XVII. The Commissioners shall cause to be prepared, in each year, correct alphabetical lists of the persons qualified to vote in each division of the Town, which lists shall be open for inspection at the office of the said Commissioners, on or before the First day of December, 1851, and all subsequent years, during all reasonable hours of the day until the day of election, when the said lists or copies thereof shall be taken to the place of election for the use of the Sheriff and his Deputies.

XVIII. The Secretary to the Commissioners, on the written application of any person qualified to vote as aforesaid, signed by himself, specifying the division, street and number or other description of every house in respect of which the claim is made, and delivered, at every election after the first, on some day when the office is open between the 25th day of November and 15th day of December, both inclusive, with the received assessment bills, showing that the applicant has paid the rates or taxes required by this Act to qualify him to vote, shall give to such person a voting ticket according to his qualification. At the first election, such applications may be made at any time when the office is open before the day of election.

XIX. The voting tickets shall be signed by the Secretary to the Commissioners, and shall be in the form contained in the first Schedule annexed to this Act, or in such other form as shall be, from time to time, adopted by the Commissioners, with the approval of the Governor of the Presidency of Fort William in Bengal, and shall be conclusive evidence that the person named therein is entitled to vote at the next election of a Commissioner in the division for which the ticket is given according to the tenor thereof.

XX. At the time and place appointed for the election, the Sheriff or his Deputies shall attend with [two] ~~four~~ closed boxes with openings in each box for the reception of voting tickets and distinguished from each other, by having marked or painted legibly, in Roman and Bengalee characters, the word ["northern" on one box, and the word "southern" on the other.] *North Eastern on one box ; the words North Western on one box ; the words South Western on one box ; and the words South Eastern on one box.*

XXI. Every voter having obtained his voting ticket in each division in which he is qualified to vote, and having written thereon the name of the candidate for whom he wishes to vote, and having signed the same, shall personally attend at the place of election, and shall deliver his voting ticket to the Sheriff, or one of his Deputies presiding at the election for that division, who, on being satisfied of the identity of the person tendering the voting ticket with the person whose signature it bears, shall deposit such voting ticket in the box of the division.

XXII. The Secretary, Assessor, Collector and Collecting Sircars of the Commissioners, and if required by any candidate, an agent appointed by writing under his hand on his behalf, shall attend at the place of election during the continuance thereof, for the purpose of assisting in identifying the persons who shall tender voting tickets.

XXIII. The decision of the Sheriff, or his Deputy admitting or rejecting any disputed vote tendered at any election, shall be conclusive as to the reception of the vote.

XXIV. As soon as the election for any division is completed, the Sheriff or his Deputies, in the presence of the candidates, or such of them as choose to be present, or of scrutineers appointed in writing under their several hands, shall ascertain the number of votes given for each candidate in each division ; and the Sheriff shall thereupon publicly declare the names of the ~~five~~ candidates in each division for whom the greatest number of votes [has] ~~have~~ been given in such division, and shall declare such candidates to be duly elected [a Commissioner] Committee men for the improvement of the Town of Calcutta.

XXV. [If two or more candidates in one division of the Town shall have the same number of votes, the Governor of the Presidency of Fort William in Bengal shall appoint one of the candidates, having such equal number of votes, to be one of the elective Commissioners for the improvement of the Town of Calcutta.]

XXVI. The result of every election shall be certified by the Sheriff to the Governor of the Presidency of Fort William in Bengal, who will cause notice thereof to be given in the Government Gazette.

XXVII. If any vacancy, from any cause whatever, happens before the month of December among the [Commissioners,] Committee men, the Governor of the Presidency of Fort William in Bengal shall appoint a person qualified to be elected to fill such vacancy, and the [Commissioner] Committee man appointed to fill such vacancy shall be a [Commissioner] Committee man as if he had been elected at the then last general election of [Commissioners] Committee men.

XXVIII. The powers and duties which, by an Act passed in the thirty-third year of the reign of King George the Third, numbered as Chapter 52, were conferred and imposed on the Justices of the Peace, within or for the Presidency of Fort William in Bengal, in regard to the assessment, collection and disbursement of the taxes thereby authorized to be assessed by them on the owners or occupiers of houses, buildings and grounds, shall be exercised and performed by the said Commissioners, instead of the said Justices of the Peace; and the powers and duties by any other Act conferred on or belonging to the Commissioners constituted under the said Act XVI. 1847, and their officers, shall be transferred to and belong to the Commissioners constituted under this Act and their Officers respectively; and so much of the said Act of Parliament as gives power to the Justices to levy the said assessments by warrants of distress and sale is repealed.

XXIX. The owners of houses, buildings and grounds, within the said town, [whether] when the same [be or be] are not occupied, shall pay [such] one-fourth of such sums of money as shall be assessed upon them according to the several rates set forth in the second Schedule annexed to this Act.

XXX. [Of the two Commissioners yearly appointed by the Governor of Bengal, one shall be President of the Commissioners. In the absence of the President, such other Commissioner shall act as Chairman of the meetings of the Commissioners as shall be chosen by those present. On all questions on which the Commissioners present are equally divided in opinion, the President shall have a second or casting vote. Three Commissioners shall be necessary to constitute a meeting.]

XXXI. [The Commissioners shall severally receive such monthly salaries, to be paid out of the taxes levied under the said Act of Parliament and Act XVI. 1847, and this Act, as the Governor of the Presidency of Fort William in Bengal, with the approval of the Governor General of India in Council shall, from time to time, appoint, not exceeding two hundred and fifty rupees in any case.]

The members of each division Committee, excluding the Chairman, shall receive jointly, a commission of one per cent. on the net collections of assessment paid into the Central Committee monthly by each respective division committee; and the six Commissioners of the Central Committee shall receive jointly, a commission of one and a half per cent. on the net collections so received.

XXXII. The Commissioners shall appoint a Secretary, subject to the approval of the Governor of the Presidency of Fort William in Bengal, and the division committee shall also appoint a sufficient number of [Assessors,] Collectors, or tax-gatherers who shall also be assessors, subject to the approval of the Central Committee of Commissioners [Inspectors, Appraisers, Bailiffs and such other Officers as they may deem necessary for assessing, collecting or levying the taxes which may be imposed on the owners or occupiers of houses, buildings and grounds under the authority of the said Act of Parliament and of this Act, and also the taxes and penalties herein mentioned, and may appoint the same persons to act both as Assessors and Collectors, and may prescribe such rules, and take such security for the due execution of the duties of such Secretary and Officers as they deem expedient; and such] The Secretary [and Officers of the Commissioners] shall receive such salary to be

paid out of the [said] taxes, as the Commissioners, from time to time, appoint, subject to the approval of the [said] Governor of the *Presidency of Fort William*, [The Secretary and every other Officer shall be removable by the Commissioners, subject in the case of the Secretary to the approval of the said Governor.] *and the collectors or tax-gatherers, shall receive a commission on the net amount of collections at such rate as the Central Committee of Commissioners may from time to time determine.*

XXXIII. All taxes assessed and penalties imposed under the authority or colour of the said Act of Parliament and Act XVI. 1847, or of the rules made in pursuance thereof before the passing of this Act, may be demanded, and if not duly paid, may be levied by the Commissioners acting under the authority of this Act.

XXXIV. The first assessments to be made under this Act shall be made for the months of February, March and April 1851.

XXXV. The assessment of the taxes specified in this Act, and in the second Schedule hereunto annexed shall be made by the said Commissioners, or any of them, and confirmed by the Commissioners, or any Assessor or Assessors appointed by them ; and the said Commissioners shall cause such assessments when made, to be entered in books to be kept in their office, and the entries for such assessments in the said books authenticated by the signatures of the Commissioners or any three of them, shall be conclusive evidence of the several assessments therein specified.

XXXVI. The taxes specified in this Act and the second Schedule hereunto annexed, shall be due and payable [from and after the end of the quarter of a year or other period for which they are made] *on the first day of any month for which they are made.*

XXXVII. When the taxes specified in this Act and the second Schedule hereunto annexed shall be due and payable, or as soon after as convenient, the said Commissioners shall send, or cause to be sent to the persons severally liable to pay any of such taxes, a statement or bill in the form (A) contained in the third Schedule annexed to this Act of the sums due from such persons respectively in respect of the said taxes.

XXXVIII. When any person shall be in arrear of the payment of the said taxes specified in this Act, and the second Schedule hereto annexed, *five days from the first day of the month*, the said Commissioners, or any one of them, or their Officer duly authorized on that behalf, may issue, or cause to be issued and served upon such person a Notice of Demand in the form (B) contained in the third Schedule annexed to this Act, and if he shall not within five days from the service of such Notice of Demand pay the arrear due from him, according to the tenor of such Notice of Demand, the said Commissioners, or any one of them, or their Officer duly authorized in that behalf, may issue and serve, or cause to be issued and served upon such person a summons to pay in the form (C) contained in the third Schedule annexed to this Act requiring such person to appear before the said Commissioners, or any one or more of them, on a day and at an hour and place to be named in such summons.

XXXIX. On the appearance of the party summoned, the said Commissioners may make such further enquiry into the case as to them seems just, and may make such order for the payment of the whole or any part of the amount assessed, or may make such abatement for or in respect of any overcharge in the said assessment as to them seems just; and in the case of the non-appearance of the party summoned, the said Commissioners, on proof of service of the said summons, and on making such further enquiry into the case as to them seems just, may decide the claim in like manner as if the said party were present, and may make such order for the payment of the whole or any part of the amount assessed, or may make such abatement for or in respect of any overcharge in the said assessment as to them seems just.

XL. In case of any objection to pay, or any appeal against, the assessment made in respect of any house, building or ground, the said Commissioners, or any one of them, or their Officers duly authorized in that behalf, may issue a summons, in the form (D) contained in the third Schedule annexed to this Act, to any person by whom the same may be better informed concerning the premises; and any one or more of the said Commissioners may examine such person so

summoned at a meeting of the Commissioners concerning the value of such house, building or ground, or other matters relating to the assessment ; and such examination shall be taken down in writing in such manner as the Commissioners may order ; and in case the answers of such person so examined shall appear to the said Commissioners to be evasive or untrue, or in case the party summoned shall refuse to answer any lawful question of the Commissioners, or any one of them, or shall be proved to have refused to receive or to have wilfully destroyed, defaced or unlawfully detained any Schedule, Bill, Summons or Notice of Demand served upon him, with intent to evade being lawfully rated to the full amount of any of the said taxes due from him, or shall be proved knowingly or through gross negligence to have given any false information, either verbally or in writing, to the said Commissioners, or any of them, or any of their Assessors or Officers, whereby they or any Assessor or person employed by them shall be misled in making any assessment, or in case the party summoned shall refuse, or without lawfull excuse neglect to appear before the said Commissioners, in pursuance of such summons, such person shall for any of the abovementioned offences be liable to such penalty, not exceeding one hundred rupees, as shall be set on him by the said Commissioners.

XLI. All arrears of taxes and penalties due under the said Statute 33 George III., Act XVI. 1847, and this Act, and the costs and charges of recovering the same may be recovered, after the expiration of five days after the demand thereof, under a warrant to be issued for that purpose under the hand and seal of one of the said Commissioners, by distress and sale of any goods and chattels within the Town of Calcutta, belonging to the person liable to make good the same or referred to in any proceeding in respect of which any such penalty is imposed, or costs and charges incurred : and every such Warrant of Distress may be in the form (E) contained in the third Schedule annexed to this Act.

XLII. The Bailiff shall make an inventory of all goods and chattels seized under any such warrant, and shall give a notice in writing in the form (F) contained in the third Schedule annexed

to this Act, to the person in possession thereof at the time of the seizure, that the said goods and chattels will be appraised and sold in manner therein mentioned.

XLIII. If the warrant is not in the meantime discharged or suspended by one or more of the said Commissioners, the goods and chattels seized shall be appraised and sold under the orders of the Commissioners, who shall apply the proceeds in discharge of the arrears, or penalty and costs, and the surplus, if any, shall be returned, on demand, to the person in possession of the goods and chattels at the time of the seizure, and the fees upon every such proceeding shall be such as are contained in the Table contained in the fourth Schedule annexed to this Act.

XLIV. Instead of proceeding by distress and sale the Commissioners, if they think fit, may authorize any Collector or other Officer to sue the person liable to pay any rates, taxes or penalties under the said Statute 33 George III. Act XVI. 1847, or this Act, for any arrears of such rates, taxes or penalties, in the Calcutta Court of Small Causes, and all such suits may be prosecuted by such Collector or other Officer in the name of the Commissioners.

XLV. Every Bill, Notice, Schedule, Summons or Notice of Demand regarding any taxes under the said Act of Parliament, Act XVI. of 1847, or this Act, may be served personally upon the person to whom the same is addressed or left with his door-keeper or some inmate of his place of abode; and when any person shall, by keeping his place of abode or business closed, or by absconding, or by violence or threats, prevent any Officer or Servants of the said Commissioners from serving any Bill, Notice, Schedule, Summons or Notice of Demand as herein directed, such Bill, Notice, Schedule, Summons, or Notice of Demand shall be duly served, by fixing the same conspicuously on some part of the outer wall, gate or door of the house or place of business, or of the enclosure in which it stands.

XLVI. No distress levied under the authority of this Act shall be unlawful, nor shall any party making the same be deemed a trespasser on account of any defect or want of form in the Notice, Schedule, Summons, Notice of Demand, Warrant of Distress, Inventory

or other proceeding relating thereto, nor shall he be a trespasser from the beginning on account of any irregularity afterwards committed by him.

XLVII. *The Assessed taxes specified in this Act and the second Schedule hereunto annexed, shall be due and payable from the occupier of any house, building or ground from the 1st day of April 1851, and when any occupier of any house, building or ground holds a lease commencing previous to the first day of April 1851 and extending for any definite period beyond the first day of April 1851, the said occupier shall be at liberty to deduct an amount of assessment equal to five per cent. on the assessed value from the monthly rent payable to the landlord or proprietor of any house, building or ground so leased for a definite period.*

XLVIII. The goods and chattels of the owners of any house, building or ground rated under the said Statute 33 Geo. III., Chap. LII. Section 158, Act XVI, 1847, or this Act, shall be liable to be distrained anywhere, (except goods and chattels concealed as hereinafter mentioned,) for deficiency in the payment of rates ; and it shall not be necessary in any assessment, rate or tax, or warrant of distress under the said Statute, Act XVI. 1847, or this Act, to specify the names of the owners or occupiers of houses, buildings or grounds, but it shall be sufficient if every property rated or taxed be identified, and in the case of houses numbered in any street that the name of the street and the number of the house be specified.

XLIX. All goods and chattels, which shall be found upon any premises rated, shall be liable to be distrained for any penalties or any arrears of rates or taxes ; [and, if the said goods and chattels belong to the tenant of such premises, such tenant may deduct the amount of the levy made upon his goods and chattels from the next and following payments of his rent.]

L. When there is reason to believe that goods and chattels, liable to distress under the said Statute, Act XVI. 1847, or this Act, are concealed in any zenana, the officer charged with the execution of the warrant shall make a special report to the Commissioner granting the same, who shall thereupon follow as closely as may be the rules

for the seizure of goods and chattels in like cases adopted by Her Majesty's Supreme Court of Judicature.

L I. Every person who wilfully obstructs or molests the Commissioners, or any one of them or their Secretary, or any of their Officers or servants in the performance of their respective duties under the said Act of Parliament or this Act, shall be liable on summary conviction before a Justice of the Peace on his own confession or the oath of one or more witnesses, to forfeit and pay a penalty not exceeding fifty rupees.

L II. The Central Committee or Commissioners of the Town of Calcutta are hereby empowered to raise funds for the improvement of the drainage of the Town of Calcutta, by the issue of Debentures or notes bearing interest at the rate of per cent. per annum, in such even sums as they may think fit, payable three years after the date of issue, but not exceeding in any one month the total sum of Co.'s Rupees fifty thousand.

L III. The Commissioners of the Town of Calcutta are to pay in monthly to the General Treasury, such portion of the net collections of assessment as will, at the expiration of three years from the date of the issue of Debentures, be sufficient to meet the payment of the same with interest thereon.

L IV. The total issue of Debentures not to exceed the sum of ten lacs of Company's Rupees.

L V. The funds so raised to be applied to the improved drainage of the Town of Calcutta, on the plan proposed by Lieutenant-Colonel W. N. Forbes, Engineers in 1838, or such other plan as the Governor of Bengal may see fit to adopt.

L VI. The whole proceeds of the said taxes, after paying all salaries, establishments and incidental expenses of the said Commissioners, shall, with such monies as the Governor of the Presidency of Fort William in Bengal, with the sanction of the Governor General of India in Council, may direct to be paid to the said Commissioners, be applied by them to the following purposes, that is to say :—

1st. Cleansing, repairing, lighting and watering the roads and streets.

2ndly. Constructing new drains and sewers, and cleansing, and repairing or filling up, and abolishing old drains and sewers.

3rdly. Filling up stagnant pools of water, holes in the earth and all receptacles for filth and rubbish, and removing obstructions in or on the roads and to the free circulation of air.

4thly. Formation of Tanks and Aqueducts for the conveyance of water to all parts of the Town.

5thly. Opening of Streets and Squares in crowded parts of the Town.

6thly. Improving and embellishing the said Town generally.

LVII. In construing this Act all words used in the singular number shall be held to include several persons and things, and words in the plural shall be held to include the singular number, and all words importing the masculine gender shall extend and be applied to females as well as males, unless there is something in the context inconsistent with such construction.

LVIII. The said Commissioners shall, from time to time, subject to the approval of the Governor of the Presidency of Fort William in Bengal, make rules for regulating their proceedings under this Act, and for the regulation of the time and manner of assessing, demanding and collecting the taxes specified in this Act and the Schedules hereto annexed, and altering any of the forms set forth in the said Schedules.

 *The Schedules to be amended accordingly.*

I.
THE BAZAR MEMORIAL.

TO THE RIGHT HONORABLE LORD WILLIAM GAVENDISH BENTINCK,
G. C. B., GOVERNOR OF BENGAL.

*The Memorial of the Master, Wardens,
and Members of the Calcutta Trade
Association.*

MOST RESPECTFULLY SHEWETH,

That while Calcutta may be ranked as the Metropolis of India, from being the seat of the most powerful Government in the East, there are few Cities under European control, in which the wants and comforts of the inhabitants are less provided for by public works. That among the many defects which exist in the Town, there is not one more productive of inconvenience to all classes, than the want of an adequate Market-place, and to this in a great measure is attributable the heavy cost and inferior description of every article of food. The soil, the climate, the low rate of labour, and its situation between the Hooghly and the Saltwater Lake, are local advantages calculated to afford the town a supply of provision, excellent in quality, and moderate in price ; but all these capabilities are lost, in consequence of the frauds practised on the consumers, from their inability to personally attend the markets. The want of shelter from the sun and the rain, in a climate, where exposure to either is so hazardous to the health of an European, and the noxious effluvia occasioned by the state of the drains, prevent all those from attending the markets, who can afford the means of employing servants, and consequently it is to the honesty of these persons, that the interests of nearly all the consumers are entrusted. But the servants themselves are under the control of the Bunnyas of the Bazar; for there are few servants who have money of their own, or who can be trusted with it by their masters, and they are therefore compelled to borrow from the Bunnya, at an exorbitant rate of interest, and also to deal at particular stalls rented by the money lender, although the articles at these stalls may be both dearer and inferior to what can be procured in other parts of

the market. The effects of such a system may be easily imagined, the sellers, the Bunyas and the servants can all make profits over which there is no check, and by the most moderate computation, a tax is levied on the consumers of at least fifty per cent. on all the necessities of life.

This is an enormous evil, of the existence of which there can be no doubt; and as it is the object of our present application to apply a remedy to this mischief, we most earnestly but respectfully press the consideration of it upon your Lordship's attention, and we submit to your Lordship, that in this remedy the Government have an immediate concern, not only as regards all the inhabitants, whose interests are committed to their care, but especially as relates to that very large class, who are in official employment. The health and the comfort of those persons, by whom the business of the state is performed, cannot but be a matter of regard to the Government, more especially when the finances of the country are every day compelling a limitation to pecuniary recompence. If, then, your Lordship should be satisfied that the evil does exist, and that with the aid of Government it can be remedied, we hope that the assistance will be given for which we now presume to apply.

The remedy which we propose is the erection of an extensive Market-place, constructed to meet the wants of the inhabitants, and calculated to obviate all the inconveniences of climate. The spot which we would select is the banks of the River, which would at once secure the cheapness and celerity of water carriage, not only to Market Gardens and Dairy Farms, but admit of the erection of shambles for slaughtering cattle on the opposite banks, removed at a distance from the Town. From its proximity to the River, which would give a fall of 12 feet, the most efficient drains might be made to traverse every part of the Market, and the most perfect cleanliness insured; an object which could not be obtained in any other part of the Town from its extreme flatness. It will also be necessary to erect a Steam Engine, which may at least twice a day cleanse out the drains, and afford a constant supply of water to every part of the Market.

We would have part of the Market fitted up with small shops suit-

able for the purposes of European dealers, for we consider that the general supply of provisions would be considerably improved if partially aided by European skill and industry. The great drawback which has hitherto existed to Europeans engaging in occupations of this nature is attributable to the heavy expense of house rent in those parts of the town, where alone such business could succeed, but if small shops at low rents were procurable in a Market-place, it would, as in England, enable the tradesmen to reside in the suburbs, where rent is comparatively low.

In addition to a broad colonnade running round the four sides, and giving a promenade in front of shops, as well as forming a sheltered communication between them, nearly the whole of the centre should be covered in with a lofty roof supported on pillars, while an open space between this and the colonnades, together with numerous glazed ventilators, would afford an abundance of air and light. From this construction there would be in all seasons, and at all hours perfect shelter from sun and rain, while the drains and supply of water would obviate all noxious effluvia. Thus would a complete European Market be established in the city, and the European custom of the purchasers themselves attending it, would not only be encouraged by motives of economy, and the obtaining a suply of better food, but from its becoming a cheerful rendezvous in the healthy hours of the morning.

It must also be obvious that a Market established in this situation, would be a matter of the greatest convenience to all the shipping in the port, not only for the daily supply of the numerous crews, but for putting on board provisions for their voyages, and when it is remembered that there are at the present time no less than ninety-eight vessels lying off the town, the proximity of a Market to so large a fleet becomes a matter of considerable importance.

The practicability of importing Ice from Boston to Calcutta having been fully established, and its importance being obvious, not only as encouraging the resort of American vessels to the port, which would otherwise come in ballast, but as an article conducive to health, and ministering to luxury, we propose to erect at a part of the

market an Ice store-house, similar to those in which it has been preserved for years in the Havannahs, New Orleans and many of the West India settlements. The heated water from the Steam Engine might also be employed in converting the *Phool kuri Noon* of Patna into Glauber Salts at one-fifth the price at which it is at present sold, and if the water from the roofs were collected in adequate Tanks, then with the assistance of the Boilers of the Steam Engine, and large Filterers, a constant supply of the purest rain water might be secured for the numerous persons, who proceed to sea, or who arrive at seasons when no rain water can be collected.

We humbly submit that although *these* advantages are of secondary, yet still they are of considerable importance, in a Town, where the quality of the water is so bad as it is in Calcutta, and where the intense heat makes it both healthy and refreshing to have all liquids cooled for drinking ; nor must it be forgotten that by letting out these establishments to individuals, under such regulations as should prevent their utility from being impaired, a source of revenue would be obtained towards defraying the expenses of the Market.

Such are our objects, and such is the plan by which we hope to accomplish them. We will now briefly submit to your Lordship the means by which we hope to secure their execution. We feel assured that a scheme of a less extensive nature would fail to remove those obstacles, to which alone we attribute the whole of the present system of the Calcutta Markets. The great body of purchasers had rather submit to the present exorbitant extortions, than risk their health, in a country where health is fortune, and expose themselves to the disgusting nuisances in the midst of which the food of the town is sold : nor will it be possible to apply any remedy to these nuisances and inconveniences short of a total change, in as much as it is the interest of the dealers, the Bunnias, and the servants to preserve their monopoly, by enhancing and perpetuating whatever can deter the consumer from attending the market.

If we are correct in believing, that there is but one remedy for the evil, we must at the same time admit, that the expense attending the execution of our project is far beyond what the unassisted efforts of

the town could achieve. But while we look to your Lordship's Government for present aid, we only ask that assistance be given in such a manner that all which may be advanced shall be ultimately repaid, and we humbly submit that the scheme which we have to propose will be found to afford ample security. There are three pieces of ground which are the property of Government, and which were formerly the Marine Registry Office premises, the Old Mint premises, and the Old Import Ware-house premises, all situated in the Strand, on the banks of the River, and any one of which would be suitable for the purposes of a Market; and it is on one of these we purpose that it should be erected, and the following is the outline of our Plan.

1st. The Ground to be valued and an annual rent put on it; this rent to be paid to the Government until the purchase-money of the Ground be liquidated; the rent to diminish in proportion as the payments are made.

2d. The sum of Two Lacks of Rupees to be raised by the sale of shares of 100 Rupees each for the purpose of erecting the buildings, the Government to advance for the present, the difference between what may be subscribed for, and the Two Lacks of Rupees, and to be paid interest at five per cent. on what they shall advance.

3d. The Government are not to receive rent for the Ground for three years, unless the profits of the Market shall in the time exceed the amount of interest payable on the sum which they have advanced, in this case rent to be immediately payable.

4th. The Shareholders to receive 5 per cent. on their shares, out of the profits of the Market, after first paying the interest due to the Government, and the rent of the Ground.

5th. After paying the interest to the Government, the ground rent, and interest to the shareholders, the surplus arising from the profits of the Market, are to form a fund for keeping it in repair in the first instance, and subsequently paying off the debt to the Government, and purchasing the land at the original valuation.

6th. The Ground and all the buildings erected on it, are to be a security to the Government for the performance of the preceding conditions, the whole to be resumed at the expiration of the present

Charter, if the principal of the sum advanced be not paid off, or in case of the interest and ground rent not being paid as stipulated.

7th. If the principal of the sum advanced be paid off at the expiration of the present Charter, but the money for the ground still remain due, the shareholders are to be entitled to receive a lease for the ground for 20 years more, at the original ground rent.

8th. After the amount which may be advanced by the Government for the erection of the buildings shall be paid off, the shareholders are to be at liberty to increase the number of the shares, to pay off the purchase money of the ground, and as soon as the sum advanced by the Government, and the purchase money of the ground shall have both been paid off, the Government are to execute conveyances of the property to Trustees for the benefit of the shareholders.

It must be evident to your Lordship, that according to the above terms, the Government will have the security for whatever advances in money they may make, of the buildings erected on the ground, the value of which will be increased, beyond what the Government gives, by the amount which may be subscribed by the shareholders. Should the Government afford their aid and patronage to the scheme, we have little doubt but that fifty-thousand rupees will in the first instance be raised by voluntary donations or the sale of shares, and that as the works progress, and the Market becomes used, that the whole of the shares will be subscribed for, and the money advanced repaid. It is known that the Tiretta Bazar has produced a rental of thirty-six thousand Rupees a year, and we consider ourselves justified in believing that the proposed Market under the avowed patronage of Government, supported as it would be by the Society, and with all its local superiority, will not realize a smaller income. Allowing five per cent. for interest on the money advanced, and the rent of the ground, this would be sufficient for a capital of seven lacs and twenty thousand, but as the value of the ground and the expense of buildings will amount to only about one-half of that sum, the income from the market alone will be sufficient to keep down the interest and the ground rent, and to form a sinking fund which would of itself in fourteen years liquidate the whole. It is true that in this

~~the expenses for the expense of repair, but we con-~~
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~~ing the day of final redemption by drawing on the sinking fund.~~

In submitting to your Lordship a plan which in our humble belief is calculated to minister to the comforts, and improve the condition of all classes of the community, which will enable the consumer to recognize and encourage the industry of the producer; we know that we are seeking for the patronage of a Ruler, who has not been surpassed by any of his predecessors, in his unremitting zeal for the interests of Indja, it is therefore with confidence, but with great and unfeigned respect, we submit our Memorial for the consideration of your Lordship.

A. ROGERS, *Master.*

W. H. HAMERTON, *Secretary.*

31st January, 1835.

For reply see Appendix B. 3rd and 4th Par. of Mr. H. T. Prinsep's letter, dated the 10th February 1835.

J.

To THE RIGHT HONORABLE LORD WILLIAM CAVENDISH BENTINCK,
 G. C. B., GOVERNOR OF BENGAL, &c. &c. &c.

*Memorial of the Master, Wardens,
 and Members of the Calcutta Trade
 Association.*

RESPECTFULLY SHEWETH,

That the want of a River Police and some systematic superintendence of the Ghauts, gives rise to numerous frauds both on Government and individuals, and is the cause of much loss of both life and property, as well as of great injury and inconvenience, by the detention of people who are obliged to frequent the Ghauts or cross the

river on business. It is also a continual annoyance to all persons landing or embarking at any of the Ghauts; and although a number of landing places have recently been constructed for the convenience of the public, and the facility of business, yet for want of some efficient regulation to keep them clear, the evil is by no means removed.

The practice of allowing ships to anchor or be moored abreast of the Ghauts; and small vessels, boats, and spars to be made fast between the buoys, (which is a case of every day occurrence,) is fraught with eminent danger to boats and passengers approaching the shore, particularly during the freshes, by blocking up the entrance to the Ghauts, and occupying the only space left between the shipping for boats to pass through.

An instance of the evil above complained of, may be seen at the Police Ghaut where the Harbour Master's Hulk and one or two vessels moored near her, add to the difficulty and danger of approaching this Ghaut from the river, and almost completely block it up.

The margins of the Ghauts, too, are crowded to excess by allowing *unemployed* Bhowliahs, Budgeroes and Dingies, and several hundred disengaged country Boats and Bhurs to lie along the shore of the Strand, occupying the principal landing places, where they are allowed to lie, sometimes for months.

Chandpaul Ghaut and Colvin's Ghaut are always crowded, and from the Custom House Ghaut to Nimtollah, a complete chain is formed, which prevents boats with passengers getting either out or in, without considerable trouble, delay and damage, and often with great danger of life and property.

Another great evil is the undue number of passengers allowed to be crammed into the small boats that ply across the river, by which many lives are lost yearly between Gussarah and Fort William; so deeply laden are they often, with human beings, that but a few inches of the vessel is seen above water. Even a ripple of the tide, the waves caused by the paddles of a steam vessel, or a sudden movement of an individual swamps a boat, and frequently costs two or three lives, sometimes the whole of the passengers.

calculation nothing is allowed for the expense of repair, but we consider that the rents would so far exceed those collected at the Tirettā Bazar, that expenses of this description would be amply provided for; but should this expectation be disappointed, it would merely be delaying the day of final redemption by drawing on the sinking fund.

In submitting to your Lordship a plan which in our humble belief is calculated to minister to the comforts, and improve the condition of all classes of the community, which will enable the consumer to recognize and encourage the industry of the producer; we know that we are seeking for the patronage of a Ruler, who has not been surpassed by any of his predecessors, in his unremitting zeal for the interests of Indja, it is therefore with confidence, but with great and unfeigned respect, we submit our Memorial for the consideration of your Lordship.

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A few weeks ago, some servants embarked in one of them, at the Armenian Ghaut, to cross to Howrah; and have not since been heard of, and how many perished no one knows. Had the boat been numbered, and the manjeo known, some information of their fate might have been learned, and had not more than a proper number of passengers been allowed to go in her, it is probable the accident would not have happened.

It is respectfully suggested that it would be advisable to appoint a particular spot for unemployed boats to lie at, (say opposite the Custom House, on the Howrah side,) where there is shoal water and a slack tide, and where the country boats would be much more safe than they are on this side, either during strong tides or stormy weather, and where they would not only be out of the way of vessels passing up or down the River, but any person wishing to hire one would always find a choice in one spot, and that spot certainly not inconvenient.

Again, the vessels that ply as passage boats should be registered and numbered, and also those employed carrying cargoes, as the watermen's boats and lighters are in London, and most other ports. A certain number should be allowed to ply at each Ghaut, and not more passengers or goods than each could safely carry be allowed to go in them. Were this, or some similar plan adopted, and a Ghaut Superintendent, or River Police established, it would be the means of saving many lives and much property, which, by the present want of system and absence of control is daily incurred to an incredible degree. Business, also, would be greatly facilitated.

It is also respectfully suggested, that were a River Police Magistrate or Deputy appointed, to have his office on the Strand as near the shipping as practicable, and to have two or more fast-pulling boats at his disposal, one at least of which could be kept constantly pulling about the shipping, to detect offenders and carry them before the Magistrate, great good would result to the public, and an effectual check put to theft and smuggling, which is at present carried to such an extent, that on the article of Salt alone, it is supposed eight per cent. of all that is imported, does not cover the loss sustained by plunder.

If evidence be required of facts so notorious as those above stated, many persons would willingly come forward to corroborate this statement.

On behalf of the Members,

A. ROGERS,

Master of the Trade Association.

W. H. HAMERTON,

Secretary.

Calcutta, 4th March, 1835.

(No. 777.)

To A. ROGERS, Esq.

Master of the Trade Association.

SIR,

The Memorial of the Members of the Trade Association to the Address of the Governor of Bengal under date 10th ultimo, having been submitted to the Marine Board for report, I am directed to inform you that the Board is ready to receive such detailed information and evidence to the accuracy of the several points therein referred to, as you may have it in your power to produce, and to attend to such suggestions as you may consider calculated to promote the object in view, the principal of which seems to be, the establishment of a River Police for the Superintendence of the Ghauts, and the management of all matters connected with the preservation of life and property on the River.

2nd. The Board readily recognize the importance of the object, if it can be shewn that under existing circumstances either is subject to loss that can be guarded against. They are however disposed to think that you are mistaken as to the extent of loss of both life and property, and it is chiefly on these two points they would wish to be furnished with evidence. The obstructions at the Ghaut, however inconvenient, are of minor consideration and scarcely of sufficient consequence to warrant the establishment of an expensive agency

to counteract them, although in the event of such an establishment being considered, on other accounts, expedient; it could of course be readily brought to bear on these minor points or indeed, after enquiry, means may be possibly found to obviate the inconvenience without the necessity for any increase of, or change in the existing establishments.

3rd. The chief points therefore, on which the Board desire to have information, refer to the loss of life and property; and they would be obliged by your furnishing me with a statement of the extent to which each has suffered for a period, say extending from January 1832 to December 1834, inclusive; to which of course you can add such further detailed information as you may consider necessary for the due consideration of the question.

I have the honor to be, Sir,

Yours most obedient servant,

C. B. GREENLAW.

Fort William, Marine Board Office, }
 3rd April, 1835. }

To C. B. GREENLAW, Esq.

SIR,

I have to acknowledge the receipt of your letter under date 3rd April, which I have submitted to the Committee of the Trade Association, and am requested to express their regret at not being able to afford all the information required as the members have never kept any record of the dates when loss of life or property occurred. They beg leave however to suggest that such information in detail may be had from the public papers or at the Police Office.

I am requested also to forward to you the accompanying documents, obtained from several members of the Committee, which, with the information to be collected from the sources above alluded to, will be found sufficient to prove that the representations set forth in the Memorial of the Trade Association are justly founded,

and claim the serious attention of Government towards the most effectual plan, for protecting the lives and securing the property of the inhabitants of Calcutta.

Yours most obedient servant,

A. ROGERS.

18th May, 1835.

(No. 526.)

To A. ROGERS, Esq.

And Members of the Trade Association.

GENTLEMEN,

Your Memorial dated the 10th of March, having been referred to the Marine Board, I am directed to inform you, that the Government has recently received a report from that authority, relative to the alleged loss of life and property on the River, owing to the absence of proper regulations for the control of boats of hire, and for the prevention of the crowded state of the Public Ghauts.

2nd. The enactment of a Law for the purpose of compelling the registration of Cargo, Ferry or Passage Boats which ply on the River for hire, is considered inexpedient, but, the attention of the Chief Magistrate having lately been directed to the inconvenience suffered by the Public from the crowded state of the Ghauts, it is hoped that this evil has now considerably abated.

3rd. I am directed to acquaint you that the Master Attendant has caused the Harbour Master's receiving vessel to be moored down as far as possible from the Police Ghaut, and that a proposition is before the Government for extending that Ghaut, so as to afford more space for the Boats. The Chief Magistrate has likewise been requested to cause all Budgeroes and Pinnaces to moor below the New Ghaut below Chandpaul Ghaut.

4th. Your suggestion that unemployed Boats shall be required to remain on the opposite side of the River, is objected to for two reasons:—first, because the congregation of all the Cargo Boats on the other side of the River would interfere with the passage by which

the small crafts pass up and down the stream; and secondly, that when wanted, they could not be obtained generally under twelve hours, and during the freshes, they would scarcely be able to cross over at all.

I have the honor to be, Gentlemen,

Yours most obedient servant,

G. A. BUSHBY,
Secretary to the Government.

Fort William,, }
the 29th July, 1835. }

REPORT OF MARINE BOARD.

(No. 51.)

To THE HONORABLE SIR C. T. METCALFE, BART.

Governor of Bengal.

HONORABLE SIR,

We have the honor in continuation of our letter No. 776 dated 3rd April last, to state that we caused the Master of the Trade Association to be informed, that we were ready to receive evidence on the several points referred to in the Memorial, and to attend to such suggestions as he might have to offer which might in his opinion be calculated to promote the objects in view, the principal of which appeared to be, arrangements for the better preservation of life and property on the River.

2nd. We accordingly requested to be furnished with a statement of the extent to which each had suffered for a period say from January 1832 to December 1834 inclusive, with a view to discover if that loss, in either case, could be guarded against.

3rd We forward copy of our Secretary's letter and of Mr.

Roger's reply together with a subsequent correspondence with the Master Attendant. Mr. Rogers regrets that the Trade Association are unable to furnish the information sought, and refers us to the public papers and the Police Office. Two statements also accompany, the one from Mr. Hamerton, the other from Mr. Samuel Smith: The detail of Mr. Hamerton establishes certainly, that property on the River is subject to depredation as elsewhere, and that accidents occur, it may possibly at times be from overloaded Boats. Mr. Hamerton also shews that great inconvenience is experienced at the Ghauts when landing.

4th. Mr. Smith confines his personal testimony to the difficulty experienced in landing, and especially at the Police Ghaut during strong ebb tides, owing to the moorings being laid rather in the way of the Ghaut. On the subject of loss of life and property, Mr. Smith also refers to the Newspapers and Police Office.

5th. There is annexed an estimate of loss of Salt from several vessels landing that article at the Golahs, but it is not founded on such data as can attach much value to it.

6th. On the whole, it does not appear to us that any sufficient case is made out to warrant our recommending to Government to incur the great expense of an establishment necessary to correct the evils complained of, for any establishment, short of active European Agency, would, in our opinion, be worse than useless.

7th. First, as to loss of life, by far the most important consideration; the information furnished is vague and indefinite, and we cannot but think that the apprehensions of the Memorialists are exaggerated greatly beyond what the actual state of the case, if it could be accurately ascertained, would warrant. We are enabled to state, that, in no case which has come before our Secretary as coroner, has it appeared that loss of life has arisen from the Boats being overloaded, accidents of this kind occur chiefly from N. Westers and the Bore, and although the danger from these natural causes might be lessened if Boats of a better description and different construction were used, yet we apprehend that this cannot be done on compulsion.

8th. The remedy suggested for this evil, as for the loss of property, is the registration of Boats, and we suppose, their being surveyed and authorized to ply, with the number of passengers which each may carry, printed in English and Bengally, on some conspicuous part of the Boat: as no evidence at all is offered of the extent of the loss of property, we may at once convey our opinion as to the efficacy of the proposed remedy.

9th. It is not to be denied that such a system with all necessary adjuncts, would go far to add security to life and property, and convenience to the public passing to-and-fro across the River; but we fear that unless the parties to be acted upon, namely, the mangies and dandies were domiciled in known places and capable of being found when required, little advantage would be derived from the mere registry of the Boats; for we imagine that even the forfeiture of the Boat would seldom affect those parties, who we believe, are rather hired servants, or hire the Boat. In a word we think that no registry of the Boats, would be of any use; unless it were accompanied by the organization of an establishment, composed in a great degree of European Agency, entailing an expense much beyond what the actual circumstances of the case would warrant.

10th. As however the communication from the Master of the Trade Association referred to a particular inconvenience which it might be in our power to remedy; viz. the position in which the Harbour Master's receiving vessel lay in relation to the Police Ghaut, we referred the papers to the Master Attendant for report, and suggested that the vessel should be moved down, as far as possible from the Ghaut.

11th. Captain Hope reported that this was done, and suggested as a further remedy, that the Ghaut should be extended by removing the iron rail as far as the drain or about twenty feet. On this point, if Government see fit, the proper officers might be required to report. There is no doubt that the upper buoys of the moorings off this Ghaut are in a situation which renders them, exclusive of the chains by which vessels are moored, dangerous to Boats approaching the Ghaut during the freshes.

12th. We have not referred to the inconvenience complained of from the crowded state of the Ghauts; we fear that no remedy could be applied to this evil calculated entirely to remove it. The difficulty as it appears to us, is simply this: if not allowed to remain at the Ghauts, where are the Boats to go? The Master Attendant suggests that, Bhurs, and other Cargo Boats, should be obliged to remain on the opposite side of the water until required, but he himself notices one not very slight objection; viz: that it would interfere with the passage by which the small craft pass up and down the River, but there is also this objection; viz: that when wanted, they could not be obtained generally under twelve hours, and during the freshes they would scarcely be able to get over at all.

13th. We apprehend however, that it is not the Bhurs which block up the Ghauts, but the Dinghies which remain there plying, and as before observed if not allowed to remain, then where are they to go? At certain times of the year also the large Budgeroes and Pinnaces sometimes make fast to the Ghauts, this we consider might be easily prevented, by authorizing the native Police on the banks of the River, and the River Police Boats, to compel all such vessels to move down below the new Ghaut below Chandpaul Ghaut where indeed they generally speaking are moored.

14th. We are aware that this report will be found to contain little or nothing of value in relation to its subjects, but the data on which he has had to proceed has been confined, and we have only entered on the subject thus far, to evince our desire to comply with the orders of Government to the utmost extent of our power.

We have the honor to be, &c.

C. DOYLE,

H. M. PARKER,

(*True copy.*) G. A. BUSHBY,
Secretary to Government.

*Fort William, Marine Board, }
the 6th July, 1835. }*

K.

To D. MACFARLANE, Esq.

Chief Magistrate.

SIR,

The subject of the Law of Apprenticeship, a measure deeply involving the interest of all Tradesmen, having been for some time under the consideration of the Committee of the Calcutta Trade Association, and the progress of the Committee's enquiries having been interrupted for want of precise information on various points, I have been requested to solicit such aid as you can afford us in our enquiries.

If you could assist us with copies of any documents bearing on the subject, or any description of information as to the state of the law in this country, we should feel extremely obliged.

A. ROGERS,

Calcutta, Trades Rooms,
15th March, 1835. }

Master of the Association.

To A. ROGERS, Esq.

Master of the Calcutta Trade Association.

SIR,

The late proceedings relating to the Law of Apprenticeship, have cleared up nothing, and it is still open to the Master of any runaway Apprentice, to apply to a Magistrate for process, to compel the return or secure the punishment of the delinquent.

In a communication of this sort, I cannot say what would be the determination of any Magistrates if a case of the last contemplated were judicially brought before them. If the Magistrate refuse to act, the Master might apply to the Supreme Court to compel him to do so, if he did act, the Apprentice might apply to the same Court to restrain him.

As far as I can understand the subject, it appears that the lawyers are against the exercise by Magistrates, of a summary jurisdiction in the matter of Apprentices, and that the only remedy a Master has, is in the way of a civil action for breach of contract. This I understand

would be considered a very insufficient mode of compelling a poor Apprentice, to perform his part of an engagement, though it might perhaps be effectual in compelling a Master to perform his.

It has been suggested that the interference of Magistrates and the summary punishment of Apprentices, is gradually being discontinued in Great Britain, and that an Apprentice, who is only to be kept to his duty by a commitment to the House of Correction, might as well be sent about his business at once, and possibly there is truth in the remark, viewing the mere wickedness of the boy as the only possible inducement to him to leave his Master, the matter is different however when there may be a competition for the employment of instructed artizans. The terror of punishment would then be an effectual check to prevent lads leaving their Masters just as their service became valuable, and on this latter ground the summary jurisdiction of the Magistrates may be defended as wholesome and proper.

With reference to the great importance of this question to Charitable Institutions, such as the Free Schools and other similar ones, I should be prepared strongly to recommend to Government, the enactment of a Law, to punish summarily the desertion by an Apprentice of his Master's service during the term of his Apprenticeship, except for good cause assigned, independant altogether of its bearing upon the interest of Tradesmen, since it is plain, that no respectable man would choose to take Apprentices into his service, knowing that they might depart when they pleased.

Taking the two interests together, that of the poor on the one hand, and the Masters on the other, Government, I think, would not hesitate to pass a Law, calculated to secure the interests of all parties.

In regard to the precise term of the Law, good legal advice would perhaps be desirable, if it is not easy to comprehend the English Law on the subject, there being apparently great distinction between 7 years Apprenticeship and those of less terms, and between Apprenticeship when a certain fee has been paid, and when it has not.

I shall at all times be happy to render any assistance in my power

in facilitating the attainment of just and laudable objects in which the intersts of your Association are concerned.

I am, Sir,

Your obedient servant,

D. MACFARLANE,

Chief Magistrate.

*Calcutta Police Office, }
5th March, 1835. }*

To R. LATTEY, Esq.

Master, Calcutta Trade Association..

SIR,

It has been proposed to Government to make a Law on the subject of Apprenticeship based on the Laws in force in England. It is said that when boys are taken as Apprentices by the Shop-keepers and Tradesmen of Calcutta, it is usual to have formal deeds drawn up, but that from the want of a Law such deeds cannot be enforced, and that consequently, the Masters are liable to lose the services of their Apprentices as soon as they have learned their business, and are capable of being useful. The Masters, it is represented, desire a Law to secure to them the gratuitous services of their Apprentices for a certain time, in return for their expense and trouble in teaching them their trade or business; and the Patrons and Managers of the various Institutions for the education of boys, it is stated, consider it an important object to give a legal sanction to Apprenticeship, in order that Tradesmen and Shop-keepers may be encouraged to employ Apprentices more than they have hitherto done, which will afford additional means for providing for boys educated at those institutions, particularly such as are orphans.

2. The chief of the provisions which have been proposed are, that Apprentices may be bound by persons licensed by two Justices, to householders of Calcutta using any art, mystery, trade or manual occupation there, and that every Apprentice so bound shall be compelled to serve; Apprenticeship to cease at the age of 21; subject to that provision, no Apprenticeship to be for a shorter period than

5 years ; the contract to be in writing and registered at the Police Office; upon death of Master before expiration of Apprenticeship a proportionate part of the fee to be returned to Apprentice; Apprentice may then be bound to a second Master for the remainder of the term for which he was first bound; Apprenticeship contract may be dissolved by one or more Justices; Masters to lodge, feed, clothe and maintain Apprentices ; for misusing or ill-treating Apprentices liable to fine not exceeding 200 Rupees, and in default of payment to be committed to prison for any period not exceeding three months; Apprentice, for disobedience, misconduct, insolence or neglect of duty, liable to be sent to the House of Correction for a period not exceeding one month, and there kept to hard labour, and while there, if a male, to be once, twice or thrice privately whipped.

3. I am directed by the Law Commissioners to request that you will favour them with your opinion whether an enactment to legalize and regulate Apprenticeship is requisite, and that you will be so good as to explain upon what grounds your opinion is formed. The Law Commissioners wish particularly to be informed whether practically Shop-keepers and Tradesmen are deterred from taking Apprentices at present by the want of power to compel them to serve according to contract, and whether in your opinion it is probable that Apprentices will be more commonly engaged by them, if power be given for this purpose. Further the Law Commissioners wish to be favored with any remarks that may occur to you as to the adequacy or inadequacy of the proposed provisions, and they will be obliged to you for any suggestions for their amendment.

I have the honor to be, Sir,

Your most obedient servant,

J. C. C. SUTHERLAND,

Secy. Indian Law Commission.

Indian Law Com. Office,
the 23rd Sept. 1843. }

To J. C. C. SUTHERLAND, Esq.

Secretary to the Law Commission.

SIR,

I have the honor to acknowledge the receipt of your letter of date the 23rd of September last, requesting the opinion of the Trade Association as to whether an enactment to legalize and regulate Apprenticoship is requisite, and also to state and explain the grounds upon which the opinion of the Association is formed.

The subject referred for the opinion of the Trade Association engaged its attention in the year 1835, to which it was called by a circumstance arising out of the desertion of an Apprentice from the firm of Messers. Jessop and Co., at a period when his services had become exceedingly valuable; but in consequence of therò being no Law by which an Apprèntice was bound to fulfil his indentures, the Magistrates of Calcutta had no power to interfere, as will be seen by the annexed letter marked A.* from the Chief Magistrate to the Master of the Association.

That a Law binding the Apprentice to his Master, for the period of his indentures, and regulating the condition and obligations of both Master and Apprentice is a desideratum, has long been felt by the Tradesmen of Calcutta; such a Law would undoubtedly be mutually beneficial to Master and Apprentice.

The opinions of the Members of the Association having now been obtained: in an abstract form, in a paper appended to this, I have the pleasure to state what, by them, is considered as necessary to be provided for in any enactment the Legislative Council may be pleased to frame.

The several minutes which have been written on the subject by the Master and Members are also appended, and therein will be found the basis of many of the proposals submitted in the abstract above alluded to.

The Association is of opinion that that part of your communication which provided " that misusing or ill-treating Apprentices shall

* See page 23.

" render the Master liable to a fine not exceeding 200 Rupees, and in default of payment to be committed to prison for any period not exceeding three months," is objectionable, inasmuch as it would tend to abate in the mind of the Apprentice the respect due to the Master, and thus materially diminish his authority.

For cruelty and ill-usage on the part of the Master, it is presumed, the Common Law is sufficient protection to an Apprentice.

I have the honor to be, Sir,

Your obedient servant,

G. F. REMFRY,

Master Trade Association.

Calcutta, Trades Hall,
the 30th December, 1843. }

(ABSTRACT.)

1st. The Law should be adapted for Hindoos and Musslemans as well as Christians.

* It is considered that this clause may be properly introduced, the character, habits and morals of the people of this country being such as to familiarize youth from their earliest years, with deceit and intrigue, and not unlikely to combine with workmen or others, against their employers; in fact every Tradesman in Calcutta must have experienced how readily the active subordinates in their establishments enter into combinations against their employers.

Apprentice; with such periodical pecuniary consideration as may be considered proper by the contracting parties.

5th. The Law should give to Magistrates summary power to compel Apprentices to perform their covenant.

6th. The Law should make it obligatory on the part of the Master, and Parent or Guardian of the Apprentice, to have inserted in the body of the indentures, the hours which the Apprentice will be required to attend his business, also to specify the art, trade, or calling

he is to be taught, also that the Parent or Guardian is satisfied, before the indentures shall be signed, with the skill and character of the Master, to teach his profession, trade or art.

7th. The period of Apprenticeship should not extend, for boys, beyond seven years, for girls five years, nor be less than four years for boys and three years for girls.

8th. Apprenticeship to cease at the age of 21 years for boys and 18 for girls.

9th. Baptismal certificates, or certificates of age, to be furnished at the time of entering upon Apprenticeship.

10th. All indentures to be attested by, and signed in the presence of a Magistrate, and registered in the Magistrate's Office.

11th. In order to prevent, as much as possible, the Master being imposed upon by parties stating the Apprentice to be younger than he or she actually is at the time of Apprenticing, and by this means putting it in the power of the Apprentice to claim his freedom before the period for which he was Apprenticed has expired, and possibly at a time when he had become most useful to his Master, the Guardian or Parent, his heirs, executors or administrators shall be subjected to a fine equal to double the value of the services so lost to the Master; to be adjudged by one or two Magistrates.

12th. If the Master die, the service of the Apprentice should be continued to the widow, if she continue to carry on the trade; if she do not, it must be made incumbent on the executor to put the Apprentice to another Master, of the same trade, or to return, out of the premium which may have been paid, a fair equivalent for the want of remaining instruction, to be decided by one or two Magistrates.

13th. A Commission of Bankruptcy or Act of Insolvency shall be a discharge to the Apprentice, if he or she like to avail themselves of it; and should any premium have been paid at the time of indenture, the Commissioner shall decide, whether any, and what amount shall be paid out of the Estate, for the use of such Apprentice.

14th. The Master not to have power to discharge his Apprentice of his own accord. Complaints from either party to be made to two Justices of Peace.

15th. An Apprentice ought to be compelled to serve, over and above the term of his Apprenticeship, for such time as he may have wilfully absented, or to be imprisoned. If he enter the service of another person, his Master ought to be entitled to his earnings, and ought to have cause of action against the party enticing him away.

(No. 2160.)

To THE MASTER OF THE CALCUTTA TRADE ASSOCIATION,

Dated Fort William, the 18th Nov. 1846.

SIR,

I am directed to forward the accompanying printed Copy of a Draft JUDICIAL. Act "Concerning the Binding of Apprentices" and to request that the Trade Association will favor the Deputy Governor with their opinion and remarks on its provisions.

I have the honor to be, Sir,

Your most obedient servant,

A. R. YOUNG,

Under Secy. to the Govt. of Bengal.

To A. R. YOUNG, Esq.

Under Secretary to the Govt. of Bengal.

SIR,

I have the honor to acknowledge the receipt of your letter, No. 2160, dated the 18th of November last, forwarding two printed Copies of a Draft Act concerning the Binding of Apprentices, and requesting the Trade Association will favor His Honor the Deputy Governor of Bengal with its opinion and remarks on its provisions.

2nd. For some time previous to the receipt of your letter, the Act in question had been under the consideration of the Members of the Trade Association; and having now obtained their individual opinions as to the probable result of the Draft Act, as it now stands, passing into law, regret to say that their unanimous conclusion is, that not

a Tradesman in Calcutta would, in consequence of the provisions of the Act, be induced to take an Apprentice.

3rd. In order the better to convey to His Honor the opinions of the Association as to the several clauses of the Act which they consider fatal to the result, it is presumed, was contemplated in framing the Act, I have taken the liberty of placing in the margin of the copy forwarded with your letter under reply, the several alterations necessary to ensure its success.

4th. As it is presumed that His Honor would wish to be made acquainted with the reasons which have operated in bringing the Members of the Trade Association to the conclusion at which they have arrived, and which have induced them to suggest the alterations in the Act, I am requested to state:—

1stly. That the provisions contained in the Draft Act, seem to be well suited to a country like that of Great Britain, where the moral culture of the youth is of a far higher standard than prevails in India.

2ndly. That the youth of Great Britain are, from the nature of their domestic training, accustomed to obedience, and seldom think of disputing the authority of those who are placed over them; indeed, such a circumstance, as setting at defiance the authority of Parent or Master, in Great Britain, is a wide exception; whilst in this country, from the fact of the youth being much more accustomed to command than to obey, that which forms the exception in Europe, it is feared, would be the rule here, under the provisions of the Act as it now stands.

3rdly. That in Great Britain the youth are accustomed to perform their own domestic requirements, whilst in this country a youth has a native servant to do every thing for him, and is consequently unaccustomed to that mode of life best fitted to render him either a useful or an obedient Apprentice.

4thly. That the Members of the Trade Association, have watched for years the methods adopted in most of the private and public Scholastic Establishments in regard to the education of youth, and are of opinion, that the absence of a strict sys-

tem of discipline, and the nature of the studies generally, are unsuited for boys of the middle and humbler classes of society, and being thus unprepared for instruction in useful trades or occupations, youths of this country are not likely to prove obedient or attentive Apprentices.

5thly. That the deficiency in the means of the moral culture in this country, render the strictest discipline the more necessary, and the result of the observations of the Members of the Trade Association is the painful conclusion that the youth of this country, with few exceptions, are extremely litigious, and are at a very tender age possessed of more knowledge of the immoralities of the world, than those of mature years in Europe.

5th. Taking the above as the basis of objections to the provisions of the Act, the Members of the Trade Association are of opinion :—

1stly. That sufficient corrective power is not vested in the Master.

2ndly. That Apprentices would avail themselves of the power given in the Act, to cause the Master considerable annoyance.

3rdly. That Apprentices would feel themselves in a comparative independent position.

4thly. That the Master, under the provisions of the Act, could not command that respect from his Apprentices which is his due, and which is necessary to enable him to control them.

5thly. That the power of the Master over the Apprentice should be similar to that of a Parent or School-master.

6thly. That the fear of correction would keep Apprentices in check.

7thly. That the measure of ill-usage or ill-treatment should be defined to be punishment in excess of what a Parent or School-master would be considered justified in inflicting.

8thly. That there are too many legal points at issue in the Act, which would be avoided by leaving as much remedy as practicable to the Common Law.

6th. In conclusion the Members of the Trade Association desire

me to express their high sense of the honor which has been conferred on them by His Honor the Deputy Governor, in submitting the Draft Act for their opinion and observation.

I have the honor to be, Sir,
Your most obedient servant,
R. C. LEPAGE,
Master Trade Association.

Calcutta. Trades Rooms,, }
19th Dec. 1846.

MARGINAL NOTES INSERTED IN THE COPY OF THE DRAFT ACT.

I.—Following European manners and usages.

VI.—It would be better to leave this part out, making it compulsory for an Apprentice to move on board of any vessel to which the Master Attendant or other authorities of Government may see fit to appoint him, always provided, that, if bound for general service, he shall be liable to serve on board of war vessels, as well as vessels for merchandize or stores.

VIII.—This had better be omitted, as it would only be a source of continued complaint, and instead thereof, insert a clause making it compulsory on the part of the owners to provide a proper sleeping place below the deck.

XII.—This does not seem to be equitable. It would be better were the Master made subject to a fine, for neglecting to register the contract within one month.

XV.—This appears to be very unnecessary, and is, in some measure, contradictory to the latter clause of the 6th Rule. If an Apprentice is bound to the owner, he ought to be bound to serve in any vessel belonging to that owner, and if to the Captain of a vessel, in any vessel which the Captain commands, provided always that the vessel is seaworthy.

XVIII.—By this the Master is liable to be committed to prison for a period of two months, and 31 provides for appeal against such decision; but in order to give proper effect to the benefit of appeal

this clause ought to contain provision for bail being taken on notice of appeal, as the object of the law would be answered whether the Master suffered his imprisonment instanter, or was made to suffer it after appeal. It is also worthy of consideration, whether or not the agent of the Master ought not to be made to suffer the consequences of his ill-treatment of the Apprentice, when the Master proved that such ill-treatment was without his cognizance. Ill-treatment ought also here to be defined to be such as would be considered in excess of what a Parent or School-master would be justified in inflicting.

~~XXII.~~—The latter clause is, it is believed, unnecessary, as it only conveys the power of giving considerable annoyance, when it is considered that by 18, the ill-usage of an Apprentice is provided for.

XXIII.—This appears to be altogether objectionable, inasmuch as it holds out a premium for an Apprentice, who is desirous of getting rid of his Apprenticeship, of becoming incorrigible—no refund of premium should be allowed, if the Magistrate thinks the Master's demand for cancelling the indentures is just.

XXIX.—Unnecessary where underlined, for the reasons pointed out at 15.

ADDITIONAL.

And it is hereby enacted that when any person shall be bound an Apprentice, either by himself, his Parents, or Guardians, and shall have stated his age to have been other than is actually the fact, and by such means the Master shall lose his services at the most valuable period of his Apprenticeship, by the Apprentice being enabled to demand his freedom, it shall be lawful for any two Justices of the Peace to inflict a fine on the Apprentice, Parent or Guardian equal to the value of the services lost to the Master, and in default of the payment thereof, to levy the same by distress and sale of the goods and chattles of the Apprentice, Parent or Guardian, and if there shall not be found sufficient goods and chattles whereon to levy the same, to commit the offender to prison until the fine shall be discharged: provided that he shall not be kept in prison for a period exceeding that of the period of services lost to the Master.

L.

TO THE RIGHT HON'BLE LORD WILLIAM CAVENDISH BENTINCK, G. C. B.
Governor-General of India, &c. &c. &c.

MAY IT PLEASE YOUR LORDSHIP,

Impressed, as we are, with the loss which this country must sustain by your Lordship's departure and resignation of your high office, we cannot allow so important an event to take place without expressing our humble but sincere regret, that the state of your Lordship's health should have rendered it necessary.

When we consider the advantages which the liberal and enlightened policy pursued by your Lordship, has bestowed on this country, and the encouragement which has been steadily and openly held out to the industrious mechanic, as well as the man of science, we cannot as Tradesmen but feel great satisfaction in looking back to the past years of your Lordship's administration.

The countenance we have received at your Lordship's hands in our endeavours as a body, to make ourselves useful in protecting the interests of the Calcutta Trades, and promoting the comfort and security of the inhabitants of this metropolis, will operate as a stimulus to still greater exertions; and while we express our gratitude for several encouraging marks of your Lordship's approbation of the past, we trust that no future act of the Trade Association will render us unworthy of your Lordship's good opinion.

We will not dwell on the political acts of your Lordship's government, that being a subject beyond our province, but we cannot allow the present opportunity to pass away without adverting to the encouragement which has been held out for the diffusion of education over the hitherto neglected region of British India—a policy which cannot fail to benefit all classes of subjects, and for the adoption of which the natives of this country especially, must ever regard your Lordship as their greatest benefactor.

We trust, that your Lordship will long live to witness the good effects of a system, which could only have emanated from a benevolent and exalted mind, and hope that you may enjoy, in another country, a complete renovation of health, and be long spared to aid with

your influence and talents the advancement of the happiness of the people of this vast dependancy of the British Crown, by a continuance of that enlightened and liberal policy which has peculiarly distinguished your Lordship's administration.

We have the honor to subscribe ourselves, your Lordship's most obedient humble servants,

on behalf of the Members,

A. ROGERS,

Master of the Association.

THE GOVERNOR GENERAL'S REPLY.

"I thank you sincerely for your Address. Your kind interest in my welfare—your favourable opinion of my humble endeavours to promote the good of the community, convey a gratification, that it is easier to feel than to express.

"Your Association had, from its commencement, my best-wishes for its success. The state of credit stood upon the most rotten footing—the fraudulent and unprincipled alone profited by it—the honest buyer and seller were the victims. It was not possible for the single efforts of the most honest Tradesman to overcome the practice; but the whole Trade have effected a thorough reform, most creditable to those who devised and accomplished it, and most useful to the public at large.

"The further direction of your attention to objects of a more public nature, and unconnected with your immediate, and separate interests, is highly laudable, and deserves particular commendation. The improvements of many of the municipal arrangements of this great city can best be promoted by the inhabitants themselves. But in this rapidly changing society, large associations only can ensure permanency of system, uniformity of execution, and perseverance in carrying it on, and incorporating with it all useful improvements.

"Having been for many years a warm advocate for reform, I have contemplated with pleasure the great benefits, derived from that measure by the larger admission into the Councils of the Kingdom, of

the intelligence and patriotism of those classes, which had previously been in a great degree excluded. A somewhat similar feeling is excited by the present transaction. It is the exaltation of a class—a new infusion of independence and usefulness, working for the benefit of all, which delights me. You represent, and worthily, the respectability, the knowledge, and enlightened principles of the same classes in our own country. Your connection with every branch of business enable you to judge, how, all, separately and collectively are affected by the public institutions, and by the measures of those who preside over them. And yours is an impartial and independent evidence, of which, if favourable, any Government would have reason to be proud—I am so—and beg to repeat through you, to the community at large, my grateful acknowledgments for the comfort, which the manifestation of so much kindness and good-will must impart to the remaining period of my life, whatever be my lot, health or sickness—prosperity or adversity.”

M.

To J. CRAWFORD, Esq.
DEAR SIR,

A knowledge of the deep interest you take in Indian affairs and favorable assurances from many of your friends in Calcutta, induce me to hope, you will pardon the liberty I take on behalf and by desire of the Association, in consigning to your care and soliciting your good offices in support of a Petition to the two Houses of Parliament praying a reduction or equalization of the Duties on East and West India produce.

Similar petitions have been drawn up by the Agricultural Society of India, and by the Calcutta Chamber of Commerce; the former was taken home by Sir Robert Calquhon, late a President of the Society and the latter by Lord William Bentinck. Both these Gentlemen will we doubt not aid our Petition with all their influence, and if we are so fortunate as to be favored with your exertions in our behalf we shall be most thankful. We are aware that you are not at

present in Parliament, but we hope and expect you will be ore this letter reaches you, whether this be the case or not, we feel assured that in a matter of so much importance to the Interest of British India we shall be favored with your support.

We have it not as yet in our power to offer pecuniary acknowledgment for the services we now solicit, but the Association will be most thankful for your aid, and happy to repay any incidental charges which may attend the receipt of the Petition and other necessary expenses, to meet which, I have the pleasure to enclose you a letter of credit on George Thorpe and A. Rogers, 38, Great Winchester Street, for (£50) fifty Pounds.

The late dissolution of Parliament has occasioned many changes in the members composing it, and a further dissolution of Parliament being anticipated, the Association are at a loss to fix on those members whom they might wish and would solicit to undertake the presentation of their Petition, and they must beg for your kind offices in this, as in other respects they may hereafter be enabled to recommend a member of each House to you, in that case, I shall take the liberty of addressing you again on this subject.

With humble apologies for the liberty which I deem it my duty to take in thus addressing you,

I have the honor to be, Sir,

Your most obedient servant,

A. ROGERS,

Master.

Calcutta Trade Rooms,
the 26th May, 1835. }

TO THE RIGHT HONORABLE THE LORDS SPIRITUAL AND TEMPORAL
IN PARLIAMENT ASSEMBLED.

The Petition of the Members of the Calcutta Trade Association.

RESPECTFULLY SHEWETH,—That your Petitioners are Members of a Society, for several years past established in Calcutta, under the name of the CALCUTTA TRADE ASSOCIATION, for the purpose of watching over the interests of the Trades of Calcutta.

That your Petitioners are deeply interested in the culture and export of Sugar, Tobacco, Coffee, Silk, Cotton and other articles of produce, suited to the home markets.

That your Petitioners have found, from long experience, that the export trade of Calcutta, as well as the manufacturing and agricultural interests of Bengal, is very seriously and injuriously limited, while the interests of England are not promoted, by the duties to which several of the above-mentioned articles are subjected, on their importation into Great Britain, in excess to the duties which are levied on the same articles when imported from any British possession in America and the Mauritius.

The duties to which your Petitioners refer, and to which they respectfully but earnestly solicit the attention of your Right Honourable House, are the imposition of eight shillings the *cwt.* on Sugar, the growth, produce, or manufacture of any British possession within the limits of the East India Company's Charter, and imported from thence, beyond the amount of duty on the same article from the West Indies and the Mauritius, which is charged only at the rate of twenty-four shillings the *cwt.* whilst that from the East India possessions* is charged at the rate of thirty-two shillings the *cwt.*

The additional duty of six shillings the gallon on the British East Indian Rum; that of the West Indies being subject to a duty of only nine shillings the gallon, while that of the East Indies is subject to a duty of fifteen shillings the gallon. The additional duty of three pence the pound on Tabacco and Coffee, from this country, beyond what is charged upon the same articles from the West Indies.

While it appears that British India is charged the same rate of duty on Raw Silk as foreign countries, not British possessions; it is really charged 25 per cent. more—because the duty is not *ad valorem*, but fixed on each lb. of Silk of whatever quality; and Italian, French and Chinese Silks are, on the average, 25 per cent. superior to East Indian.*

* Not levying duties *ad valorem* bears equally hard on East India *Sugar*, *Rum*, *Tobacco* and *Cotton*, all of which are inferior to the produce of other countries.

That Silk Piece Goods of British manufacture are admitted into Calcutta on a duty of $2\frac{1}{2}$ per cent. while similar Silk Piece Goods of British Indian manufacture are chargeable, and charged, with a duty of 20 per cent. on importation into Great Britain.

That on Cotton Piece Goods manufactured in British India, an import duty is charged in Great Britain of 10 per cent. while similar Cotton Piece Goods of British manufacture are admitted into Calcutta on a duty of $2\frac{1}{2}$ per cent.

In this, their grave representation, involving vast interests on both sides, your Petitioners would not presume and would not wish, to use language that might seem addressed to the feelings rather than to the reason of Parliament. Your Petitioners would desire to take the best and highest ground—that of reciprocal advantage, but they cannot refrain from remarking that while the mother country blights the agricultural and manufacturing energies of this country by the imposition of excessive duties on Sugar, Coffee, Rum, Silk and Cotton, and other articles as specified in the accompanying schedule, India is forced to bribe British manufactures into competition with its own industry unaided by machinery, at a light duty of $2\frac{1}{2}$ per cent, which is the same rate of duty as Government imposes in Calcutta upon the manufactures of Bengal; and further to impose prohibitory duties on foreign manufactures, to protect the British.

Your Petitioners beg most earnestly to submit for the consideration of your Right Honorable House, the justice and expediency of removing the obstacles above stated, and encouraging the cultivation and export of the important articles above enumerated, by equalizing the duties on them, with those imposed on similar productions of other British colonies.

(Signed by all the Members. of the Association.)

COMPARATIVE TABLE OF DUTIES.

Duties charged in Britain on the Importation of Merchandise, the growth, produce or manufacture of British India.

Duties charged in British India on the Importation of Merchandise, the growth, produce or manufacture of Great Britain and Ireland.

ARTICLES. £ s. d.

<i>Boots, Shoes</i> —Women's Boots, per dozen	1 16 0	Ad valorem $2\frac{1}{2}$ per cent.
Shoes	1 6 0	
Men's Boots	2 14 0	
Shoes	1 4 0	
<i>Baggage*</i>		
<i>Borax</i> —Refined cwt.	0 10 0	—None imported.
<i>Carriages</i> † of all sorts every £100 val.	30 0 0	—Ad valorem $2\frac{1}{2}$ per cent.
<i>Camphor</i> —Refined cwt.	2 0 0	—None imported.
<i>Candles</i> —Tallow... cwt.	3 3 4	Ad valorem $2\frac{1}{2}$ per cent.
Wax	0 2 6	Wholly of Wool, free.
<i>Carpets</i> for every £100 val.	20 0 0	Of Wool and Cotton.
		Ad valorem $2\frac{1}{2}$ per cent.
<i>Casks</i> —Empty .. £100 val.	50 0 0	—Ad valorem $2\frac{1}{2}$ per cent.
<i>Coals</i> ... per ton of 20 cwt.	2 0 0	—Ad valorem $2\frac{1}{2}$ per cent.
<i>Coffee</i> per lb.	0 0 9	—None imported.
<i>Coir Rope</i> .. cwt.	0 5 0	—Ad valorem $2\frac{1}{2}$ per cent.
<i>Cotton Manufactures</i> .. £100 val.	10 0 0	
Made up .. £100 val.	20 0 0	Ad valorem $2\frac{1}{2}$ per cent.
Embroidering and needle-work, every £100 value.....	30 0 0	
<i>Furniture</i> .. £100 val.	20 0 0	—Ad valorem $2\frac{1}{2}$ per cent.
<i>Hats</i> —Straw, not exceeding 22 inches diameter .. per doz.	3 8 0	
Ditto exceeding 22 inches.....	6 16 0	Ad valorem $2\frac{1}{2}$ per cent.
<i>Huts</i> —Felt, Hair, Woollen, Beaver..... each	0 10 6	
<i>Iron</i> —Cast..... every £100 val.	10 0 0	Free.
Wrought..... every £100 val.	20 0 0	
<i>Jewels</i> —Emerald, Rubies and other precious Stones except Diamonds, set for every £100 value	20 0 0	Free.
Unset	10 0 0	

* All wearing apparel and baggage, accompanying the Proprietor, to Britain, of whatever description and from all Countries, *except East India Articles*, are to be delivered, the duty free. This oppressive exception ought to be rescindod.

† British Carriages are equally charged with 30 per cent. Duty on being re-imported into Britain, except taken back by the self same individuals who exported them. This aggravates the hardship of excessive duty and amounts to a prohibition to British Carriages purchased in India being taken out of this Country.

Duties charged in Britain on the Importation of Merchandise, the growth, produce or manufacture of British India.

Duties charged in British India on the Importation of Merchandise, the growth, produce or manufacture of Great Britain and Ireland.

ARTICLES. £ s. d.

<i>Leather, viz.—</i>	<i>Pieces cut into shapes, or any articles made of Leather, manufacture of which Leather is the most valuable part, for every £100 val.</i>	30 0 0	<i>Ad valorem 2½ per cent.</i>
<i>Hides, Dry.</i>	<i>per cwt.</i>	0 2 4	
Wet..		0 1 2	
Tanned..		0 0 3	
Cut and trimmed		0 0 4	<i>Ad valorem 2½ per cent.</i>
<i>Pieces of such Hides</i>			
Tanned, curried or dressed		0 0 4½	
Cut or trimmed		0 0 7	
<i>Feathers—For Birds</i>	<i>cwt.</i>	2 4 0	
Fancy dressed as Paddy Birds, &c. £100 value.....	cwt.	20 0 0	<i>Ad valorem 2½ per cent.</i>
Undressed ditto		10 0 0	
Down	lb.	0 1 3	
<i>Ginger</i>		0 11 0	—None imported.
<i>Mats.....</i> for every £100 val.		5 0 0	—Ad valorem 2½ per cent.
<i>Painter's Colours—Manufactured, for every £100 value.....</i>		10 0 0	<i>Ad valorem 2½ per cent.</i>
Not manufactured		5 0 0	
<i>Perfumery</i> every £100 val.		20 0 0	—Ad valorem 2½ per cent.
<i>Pickles</i> per gallon		0 1 6	—Ad valorem 2½ per cent.
<i>Plate:—</i> Of Gold	oz. troy	3 16 9	
Silver		0 6 4	
Ditto part gilt.....		0 6 0	
Ditto ungilt		0 4 6	
<i>Seed—Mustard</i> per basket		0 8 9	—Ad valorem 2½ per cent.
<i>Silk—Manufactures of Silk or Silk and other material, for every £100</i>		20 0 0	
<i>Millinery Silk—Turbans and Caps each</i>		0 15 0	<i>Ad valorem 2½ per cent.</i>
Hats and Bonnets		1 5 0	
Dresses	each	2 10 0	
<i>Soap</i> per cwt.		1 8 0	
Soft		1 3 0	<i>Ad valorem 2½ per cent.</i>
<i>Spirits—Not Sweetened Spirit per gallon</i>		0 15 0	<i>In wood 10 per cent. In bottle ad valorem 10 per cent.</i>
Sweetened Spirit, Shrub, Cordials, &c.....		1 10 0	
<i>Steel—Manufactured, every £100 val.</i>		20 0 0	{ Free, if British ; if Foreign 5 per cent.

* British Plate is charged with a duty of 25 per cent. on being re-imported unless an affidavit be made that Drawback was not paid on exportation. This is in effect a prohibition to taking back British Plate bought in India.

<i>Duties charged in Britain on the Importation of Merchandise, the growth, produce or manufacture of British India.</i>	<i>Duties charged in British India on the Importation of Merchandise, the growth, produce or manufacture of Great Britain and Ireland.</i>
	ARTICLES. £ s. d.

<i>Sugar—Not being refined.. per cwt.</i>	<i>1 12 0</i>	<i>Unrefined 5 per cent. Sea and 5 per cent * Town Duty; refined British 2½ per cent.</i>
<i>Refined</i>	<i>8 8 0</i>	
<i>Tobacco per lb.</i>	<i>0 3 0</i>	<i>{ 10 per cent. * Sea and 4 ans. per maund fee.</i>
<i>Toys every £100 val.</i>	<i>20 0 0</i>	<i>{ 2½ per cent. if British ; 5 per cent. Foreign.</i>
<i>Turnery every £100 val.</i>	<i>30 0 0</i>	<i>Ad valorem 2½ per cent.</i>
<i>Wax—Sealing every £100 val.</i>	<i>30 0 0</i>	<i>Ad valorem 2½ per cent.</i>
<i>Woollens every £100 val.</i>	<i>15 0 0</i>	<i>Free.</i>
<i>Made up or partly so every £100 val.</i>	<i>20 0 0</i>	

N.

To T. J. TAYLOR, Esq.

Secretary Custom Committee.

SIR,

Having learned that the Calcutta Customs Regulations were about to be subjected to the consideration of a committee, with a view to their improvement, I brought the subject to the notice of the Calcutta Trade Association, in the hope that the experience of some of its members might enable them to point out those regulations which were deemed oppressive or inconvenient, and suggest improvements in others calculated both to preserve the interests of the government, and to afford facilities to the Merchant or Tradesman in his transaction with the Custom House.

The subject was very fully discussed at several meetings, of the Trade Association, and the accompanying papers marked A. B. C. D. are submitted as embodying the result.

I have the honor to be, Sir,

Your most obedient servant,

A. ROGERS,

Master of the Association.

Calcutta Trade Rooms, 14th February, 1835.

* The value of places other than the United Kingdom, Foreign Europe or America.

*Customs and Post Office Committee,
Calcutta, 8th May, 1835.*

To

The Master of the Trade Association Calcutta.

SIR,

I have had the honor of laying before the Committee for revision of Customs and Post Office Departments of India, your obliging communication of the 14th February, with its several enclosures, and am directed to request from you detailed information on the following points :—

It is stated generally, that the commercial community at Calcutta are subjected to much inconvenience by the continued alterations of forms at the Custom House. The committee requests to be distinctly informed what particular forms are here alluded to as having been changed, the periods at which such alterations were made and by what authority they were directed.

With reference to the observation that commanders of ships are subjected to much inconvenience from being required to furnish a manifest of their cargoes from Kedgeree, I avail myself of this opportunity to state that orders have been issued from the Marine Board for the discontinuance of the practise complained of.

As respects the inconvenience complained of, that Commanders are compelled to make affidavits of their Lists of Crew and Passengers at the Police Office, application has been preferred to the Chief Magistrate as to whether this practise can be legally dispensed with, the result of which reference shall be duly communicated to you.

In conclusion I beg to state that other several suggestions conveyed in your communication now rendered noticeable, shall meet with due attention.

I have the honor to be, Sir,

Your most obedient servant,

T. J. TAYLOR,

Secretary.

To CAPT. T. J. TAYLOR,

Secretary to the Customs and Post Office Committee.

SIR,

I have to acknowledge the receipt of your letter under date the 8th inst.

In the 2d Par: you state that the Custom's Committee request to be informed, what the particular Forms are, the changing of which have subjected the Commercial Community of Calcutta to the serious inconvenience complained of generally in our letter of the 14th February, also to be informed the period at which such alterations were made, and by what authority they were directed.

I have submitted your letter to the Committee of our Association, and am requested to express their regret at being unable to afford all the information required, no Member having kept a record of the dates at which their business has been impeded by the changes in the forms for transacting it at the Custom House, nor are they aware by what authority these changes were directed, our Committee request me to submit that the information sought, may be correctly obtained by our examination of the Forms of Export and Import applications &c. for the last 5 years which are filed at the Custom House, these will abundantly prove that the remarks contained in our letter with reference to the vexatious changes of the Forms at the Custom House were just, and that the grievance complained of requires immediate reform.

I am further requested to submit respectfully for the consideration of the Committee of Customs as a remedy for part of the mischief arising from some of the changes referred to, that the *uncontrolled* power now vested in the Collector in the following points be *withdrawn*:-

1st. To admit or reject such forms of certificates as accompany letters of advice for the purpose of protecting from further duty here, Goods that have already paid the whole, or part of it at some other place within the Company's Charter.

2d. To admit or reject certificates of goods coming from China, Singapore, Bombay, &c. &c. in evidence of origin.

3rd. The charge now imposed, (on British Merchants in particular,) by the Collector here on each certificate granted in proof of special articles imported, to enable their friends in England to cancel Bonds entered into for due evidence of importation, this charge is 5 Rupees for an original; 5 for Duplicate, and 5 for Triplicate.

The Committee could furnish many other examples, but for the difficulty of explaining in writing, the alterations of forms which can be seen at one glance on reference to the papers to which they have referred; and the Members will gladly attend and give *viva voce* evidence, if required, of the Committee of the Trade Association.

I am requested to offer their grateful acknowledgments for the prompt attention which has been given to their suggestions, and further to state that the Members generally, are most desirous, with their humble efforts, to aid forward the important objects now under consideration by the Committee of Customs.

I have the honor to be, Sir,

Your most obedient servant,

A. ROGERS,

Master.

16th May, 1835.

To F. F. COURTNAY, Esq.

*Private Secretary to the Most Noble
the Governor General of India.*

SIR,

I have the honor to forward the accompanying Memorial from the Calcutta Trade Association, with the request that you will do me the favor to lay it before The Most Noble The Governor General of India.

I have the honor to be, Sir,

Your obedient servant,

C. J. PITTAIR,

Master, Calcutta, Trade Association.

*Calcutta, Trade Rooms, }
the 13th Nov. 1850. }*

MEMORIAL.

TO THE MOST NOBLE JAMES ANDREW, MARQUIS OF DALHOUSIE,
K. T. GOVERNOR GENERAL OF INDIA.

*The Memorial of the Master, Wardens
and Members of the Calcutta Trade
Association.*

RESPECTFULLY SHEWETH,

That your Memorialists respectfully represent to your Lordship the unnecessary difficulties and expense to which the Merchant Trader is put in order to obtain, on the day of record, a correct return of the daily Commercial Imports and Exports of Calcutta; arising out of the practice hitherto recognized by the Customs Department, in permitting two of the subordinate Clerks or Officers of the Custom-house, the exclusive use of information which the official records of that Department can alone supply, and which information can only be purchased and obtained from the said Clerks or Officers by the payment to them; of heavy and unreasonable charges.

Your Memorialists would wish to avoid troubling your Lordship upon a matter like this of mere detail, could your Memorialists have met with a remedy from the deputed authorities under your Lordship; but, certain Members of your Memorialists' body have at various times sought without success, the removal of the difficulties, and in a recent instance an appeal has been made in succession to the Collector of Customs, the Board of Customs, and the Deputy Governor of Bengal, and on each occasion has been met by these authorities, with a refusal to interfere with existing arrangements.

The circumstances disclosed in the prosecution of the appeals abovementioned, show that the import and export supervisors of the Custom-house, under the sanction of Government, confirmed by a supposed letter of copyright, have the exclusive control and use of the Registers of Commercial Imports and Exports of Calcutta; that these records are withheld from the public and supplied only to those parties, whom the said supervisors may feel disposed to accommodate; for the payment of money or other considerations, a practice alto-

gether at variance with the usage in Commercial Ports and Cities generally, and with the principles of Trade now so universally recognized, presenting a serious and needless obstruction to a legitimate source of information, important and necessary to the Merchant.

Your Memorialists desire to represent that the sanction and recognition accorded to the supervisors to communicate information from the Registers under their charge, removes all ground of objection for its general communication to the public, and your Memorialists therefore respectfully solicit that your Lordship will be pleased to issue such orders on your Memorialists' prayer as will confirm their reasonable expectations, and thereby pronounce a negation to the exclusive use of information from public records for private emolument.

Your Memorialists have the honor to be your Lordship's
most obedient humble servants,

C. J. PITTAIR,

13th Nov. 1850.

Master, Calcutta, Trade Association,

To MR. C. J. PITTAIR,

Master, Calcutta, Trade Association.

SIR,

In reply to your Memorial of the 13th instant representing on the part of the Trade Association the difficulty experienced in obtaining information from the Customs Department in Calcutta, relative to the Commercial Imports and Exports of the Port; I am directed to acquaint you, that, under orders from the Governor General, a communication on the subject has been at once addressed to His Honor the Deputy Governor of Bengal. You will be further informed hereafter.

I have the honor to be, Sir,

Your most obedient servant,

H. M. ELLIOT,

Secretary to the Government of India,

with the Governor General.

Camp Lahore,
the 30th November, 1850. }

Q.

TO THE RIGHT HONORABLE LORD AUCKLAND, GOVERNOR GENERAL OF INDIA IN COUNCIL.

The humble Petition of the Master, Wardens and Members of the Trade Association of Calcutta.

SHEWETHI,

That your Petitioners' Association was formed on the 5th July 1830, and that its institution, and the objects it embraced, were honored with the approbation of the Right Honorable Lord William Bentinck then Governor General of India, and all the Judges of Her Majesty's Supreme Court.

That your Petitioners' Association was invariably permitted by Lord William Bentinck, and the late Governor General Sir Charles Metcalfe, to offer to Government their Memorials, and submit their respectful suggestions, not only on matters having immediate relation to their own interests, but also on subjects of general and municipal importance.

That your Petitioners have always been, and will always endeavour to be, most guarded when venturing to address the Government, in confining their applications to matters which affect themselves as the Trading Body of Calcutta, or in which, as such Body, they may avowedly have peculiar means of affording information.

That your Petitioners most respectfully submit, that of all others in this community, they are the most immediately affected by those reforms in the administration of the Civil and Criminal Justice of this City, for which the Inhabitants have recently petitioned your Lordship in Council.

That your Petitioners have long and maturely considered what effect these reforms would produce, and their unanimous conviction is, that the proposed alterations will remove many of the existing evils in the administration of Justice, and in the municipal arrangements of the City, and also work effects more salutary, than any other measures are calculated to accomplish.

That as regards the introduction of Trial by Jury in Civil cases, it will extend to this Town that great blessing in British Law, which gives the decision of matters of fact to the most competent tribunal, and takes it from the Judges, whose legal education, according to the candid and upright avowal of Chief Justice Ryan and Mr. Justice Grant, little fits them for such purpose. That as a further confirmation of how much more essential it is in this country, than in England, that Juries, and not Judges should decide on matters of fact, your Petitioners would respectfully call to your Lordship's notice, that the Juries of Calcutta are most of them intimately conversant with the language, the habits, the notions, feelings, customs and prejudices, of the Natives, who form the great body of witnesses in the Supreme Court, while the Judges are unacquainted with the language, rarely being with the people, and derive all their information regarding local peculiarities, more from report, than from personal knowledge.

That your Petitioners are well convinced that in no part of the world, (where the presiding Judges are not corrupt,) is the difficulty of obtaining Justice so great as in the Courts of the East India Company, and that the evil is principally occasioned by the evidence of the witnesses being taken in private by inferior officers of the Court, and the consequent want of that great check to perjury of *viva voce* examination and cross-examination. That the practice of the common Law Courts of England, in which witnesses are openly examined and cross-examined in the presence of Juries, by Advocates long trained in the detection and exposure of falsehood, affords the best remedy for the frightful evils of perjury, (so prevalent in this country,) which human ingenuity has as yet devised, and your Petitioners look forward with confidence that the establishment of this system in the metropolis of India, will gradually extend itself through this great Empire, and will be attended with effects, equally salutary with those which it has produced in the Singalese nation.

That your Petitioners humbly submit; that the free principles of the British constitution, make it the right of the Governed to ask of their Rulers for such reforms in the administration of Justice, as are

calculated to enhance its purity and efficacy, and that the only just grounds for a refusal must rest, on the impracticability, or inexpediency of the change. That the practicability of introducing trial by Jury in Civil cases depends solely on there being a sufficiently numerous body of competent Jury-men. That your Petitioners believe that if education, and respectability of employment and station were made the qualification of Jury-men, instead, as it now is, the amount of income, and if the whole of Calcutta were made subject to due jurisdiction, instead of the Suburbs being divided from the City, the Jury list would, in a short time, contain between three and four thousand persons, and that this large number would not have to decide on more than one hundred and fifty causes in the year.

That it is on the Inhabitants only, that the inconvenience of attending the Juries would fall, yet fifty-seven years ago, when those who were qualified were few in number, they voluntarily made a tender to Parliament of their services as Jurors, and pledged themselves to perform such services, alledging, "that every Englishman set too high a value on this valuable privilege to decline the performance of a duty, on which the safety of the community so essentially depends." That so far from this feeling in favour of Juries having declined, that in April 1832, other Petitions were forwarded to His Majesty and the two Houses of Parliament signed by three thousand one hundred and twenty Inhabitants of this City, in which they stated that they looked to the extension of Jury-trial "as a measure calculated to foster increasing reverence for British maxims of administration, to enlarge the sphere of mutual intercourse by the participation of important Civil duties, to soften down the discordances of character in this mixed population, by a sense of mutual dependence, and to raise the standard of private morals, by submitting the dealings of individuals to the test of public opinion."

That since this Petition was forwarded to England the Inhabitants of the City have held two public meetings convened by their high Sheriff, and petitioned your Lordship in Council and your predecessor, to grant the boon which they have so long and so eagerly sought.

That in regard to the expediency of the measure, your Petitioners with confidence submit, that none can be so capable of deciding on the necessity and efficacy of its introduction, as the Judges by whom Justice is administered, the Counsels who practise in the Court, the Attorneys who conduct the cases, and the Suitors whose interests are at stake. The opinions of all these have been so frequently and openly expressed, that they have long been a matter of notoriety, while this Petition to your Lordship from the Associated Tradesmen of Calcutta is not among the least proofs of the general desire for the change.

That your Petitioners also most respectfully submit, that the establishment of the General and Quarter Sessions vested with the same powers and jurisdiction, as are exercised by these Courts in England, would materially facilitate the administration of Justice in this Town, and be productive of great improvement in the municipal arrangements. That by the 48th Section of the 9th of Geo. IV. c. 74, an appeal to the General or Quarter Sessions is given to all persons convicted before a single Magistrate, or where the penalty shall exceed fifty Rupees, or the term of imprisonment exceed one month. That by the 50th Section every conviction by a Justice of the Peace is directed to be transmitted to the General or Quarter Sessions, and to be kept by the proper officer among the records of the Court, and that a copy of such conviction shall be valid evidence against the person tried for a repetition of the offence. That these two wise provisions of the Legislature, providing a remedy for individuals who may be aggrieved, and increasing the punishment of obstinate offenders, are both defeated by the want of that Court, to which power has been given for these purposes.

That the necessity of this Court of Appeal has become infinitely greater in consequence of a recent Act of the Legislative Council, by which one Magistrate is vested with powers which by English Law are only entrusted to two. That when your Petitioners reflect that by the 97th Section of the Indian Criminal Act (9, Geo. IV. c. 74,) two Justices of Peace may commit to hard labour for a twelve month, and also inflict two public whippings; they cannot but con-

sider that the alteration of the English Act of Parliament, and the vesting of such power in one individual has a nearer relation to the spirit which prevailed in governing India under Mahomedan, rather than under British Rule. That your Petitioners assure your Lordship that instances have occurred of the appointment of the Magistrates to the Calcutta Police without any reference to the fitness of the individual to discharge the onerous duties of the office, for it must be obvious that a thorough and critical knowledge of the Bengalee and Hindoostance languages is an indispensable qualification for those Magistrates, who have to determine the disputes, keep the peace and decide the controversies of the immense Native population over which the guardianship of the Calcutta Police extends, yet your Petitioners can affirm that there have been Magistrates appointed to that office, who were incapable of understanding the languages of those whose cases they had to determine, and so avowedly notorious is this defect, Clerks who act as interpreters are provided for each Magistrate at the public expense. That your Petitioners submit with confidence to your Lordship, that you will admit the justice of their remark when they affirm, that there must be some great radical error in the system, which makes it necessary to provide interpreters for the Magistrates of the metropolis, while the large body of the Civil service can, without any such assistance, discharge throughout this vast Empire the various and important duties of the State.

That your Petitioners most respectfully affirm, that so defective is the Calcutta Police, that the security for property, the remedy for petty injuries, the attention paid to the salubrity, the conveniences, and comforts of the Inhabitants of the City are of the most defective kind, and with reference to the wealth and capabilities of the Town, are worse than in any other City under British Government. That your Petitioners believe that the best remedy for these evils will be the appointment of a large and efficient body of Magistracy on whom shall be cast the responsibilities, and in whom shall be vested the powers of English Justices of the Peace, giving to them the appointment of their Chairman, and also the paid Magistracy,

dissolving all connection between this body and the Government, but reserving to the Ruling power the authority possessed by the crown in England, of compelling by Mandamus and criminal information the further performance of their duties.

That your Petitioners are desirous of bringing most respectfully, to the notice of your Lordship, the great anomaly and inconvenience, which exists, and the gross frauds which are perpetrated by reason of there being two jurisdictions, and two distinct Codes of Law for the Suburbs and the Town of Calcutta. That your Petitioners submit, that the whole of the population who live within such a distance of the Town, that their daily employment and avocations take place within it, ought in common sense, and for the ends of Justice, to be considered as residing in the Town itself. That it is an acknowledged principle in legislation, and law, that all local jurisdictions are detrimental, retarding the administration of justice, and opening a door to fraud. That every man ought to be amenable to the law of the place in which he makes his contract; and though national rights must make this impossible as between natives and foreigners, that those municipal Ordinances which permit a man to gain his livelihood, to carry on business, to obtain credit, and daily frequent a particular district, and yet exempts him from the Law of that place, because he sleeps at night beyond the local limit, are opposed to every thing of which reason can approve, and productive of all the frauds which dishonestly, can devise. That your Petitioners most humbly call the attention of your Lordship to the express provisions enacted for this Town by the Legislature of Great Britain, who would appear to have foreseen the mischiefs that might accrue, and to have vested the local Government with an easy and ample remedy. By the 33d Geo. C. 52, Sec. 155. The Governor-General in Council was empowered to prescribe the limits for the Town of Calcutta, but no authority was conferred on him, by which he could subsequently extend them. When twenty-two years had elapsed, it would seem that the error which had been committed was discovered, and by the 55th Geo. III. C. 84. Sec. I. after reciting "that by reason of the increase of the population of the Town of Calcutta, Madras and Bombay, it is

expedient that the several Governments of Fort William, Fort St. George and Bombay in the East Indies, should be further empowered in manner hereinafter mentioned, to extend from time to time the limits of the said several Towns," it was enacted that it should be lawful for the Governor-General from time to time, as circumstances should in his judgment require, to extend the limits of the Town of Caleutta."

That notwithstanding this salutary provision, the limits of the Town have never been extended, since the original proclamation forty-two years ago, although such has been the immense increase of the City and population: that places have now become densely inhabited, which were then wild Jungles, and dangerous from the resort of savage animals. That the Suburbs of Howrah, Kidderpore, Entally and Cossipore, now contained a European and East Indian population, greater than that which resides in Calcutta itself, and that the Chief European Manufactories of the City, have either been erected, or are in progress of erection in these extensive Suburbs ; that nearly the whole of their immense population gain their livelihood by trade or employment in Caleutta, or being intimately connected with it. That your Petitioners humbly submit that it is an evil of no ordinary magnitude that so extensive a population, so intimately united with the inhabitants of the City, should be subject to a different Code of Laws and to a different Court of Justice, and of which Court your Petitioners again state, as they have before affirmed, that in no country is it more difficult to obtain justice owing to the law being administered in a language foreign to the Judges, the Suitors, and the witnesses, and bringing back the evils of those dark ages when tyranny, corruption, and ignorance reigned uncontroled even in English Courts of Justice, from the Norman French being the only language employed.

That your Petitioners perceive no remedy not only for the injustice but want of Justice which increases in this City in proportion with its population, but an adoption of the wholesome provisions of the 55th Geo. III. subjecting the inhabitants, to one Code of laws and to one uniform administration of the practice of the Courts of Justice.

Your Petitioners therefore pray, in the words of the prayer of the inhabitants of Calcutta, that for all these several purposes of general and local interest, that your Lordship in Council will take into your earliest consideration the matter of the former Petition for the extension of Jury-trial to Civil cases. And will also direct that early measures may be taken for the revival of the Court of Quarter Sessions of the Peace for the Town of Calcutta. Moreover that, with a view to economy and uniformity in the local administration of Justice, your Lordship will be pleased in execution of the powers vested in you, by the 1st Section of Statute 55th Geo. III. C. 84, to extend the limits of the Town of Calcutta so as to comprise the whole of its populous Suburbs and dependencies.

And your Petitioners shall ever pray, &c.

F. H. BURKINGYOUNG,

Calcutta, Trade Rooms,
The 20th April, 1836. }

Master.

P.

TO THE HON'BLE SIR CHAS. T. METCALFE, BART.

Governor-General of India in Council, &c. &c. &c.

*The humble Petition of the Master,
Wardens and Members of the Cal-
cutta Trade Association.*

HUMBLY SHEWETH,

That on the 25th day of May last past, the draft of an Act was proposed and read before your Honor in Council, by which it is provided, "that Section II. of Reg. V. of 1830, of the Bengal Code, directing that persons instigating and inducing ryuts to evade the performance of their engagements, may be prosecuted before the Magistrates for the penalties specified in such engagements, and Section III. of the same Regulation, providing that persons contracting for the cultivation of Indigo Plant, who shall wilfully neglect or refuse to sow or cultivate the ground, specified in their engagement, shall be deemed guilty of misdemeanor and liable to punishment," be rescinded.

That your Petitioners entertaining the fullest conviction that the existing law has for five years been productive of important benefits, beg to submit to the consideration of your Honor in Council those reasons which they would respectfully urge against its repeal, and at the same time they cannot forbear expressing the deep anxiety which they entertain on the subject of their present Petition, involving, as it does, the ruin or prosperity of the chief article of Indian commerce, and in the cultivation of which some of your Petitioners are engaged.—Involving likewise, as it does, a principle of legislation which affects the manufacturing interests of Calcutta, involving also the evident anomaly that the local government cannot frame such wholesome laws, or the people so justly appreciate their effects as the authorities in England who have not witnessed the evils for which the remedy was designed, nor the results which the regulation has produced. On the first point, which regards the infpolicy of placing in jeopardy the chief article of our exports, your Petitioners forbear entering into details for the purpose of establishing the immense importance of the Indigo cultivation to this presidency, for it is too well known how this branch of agriculture assists the natives in the payment of the revenue—how it concentrates in the country the capital, skill, and industry of Europe—how the government are benefitted by the increased wealth of the landholders, and the large payments for export duties as well as a facility of profitable remittance extending from fifty to one hundred lacks a-year. Supported by such facts, your Petitioners with confidence urge that few acts could be more impolitic than to repeal a regulation on which depends the safety of that staple product which forms the great source of the commercial prosperity of Bengal.

On the second point which regards the principle of legislation, your Petitioners humbly submit that the reason for rescinding the existing ordinance is founded on a doctrine at variance with the statute law of England, which from the earliest ages has invariably protected the employers, against the employed, and sought to guard the few against the many. The real object of Section II. Regulation V. is to defeat conspiracy, and to extend the punishment from the ryut who violates his contract to the guilty parties, who may have instigated the offence. A

rival planter, or a powerful zimindar have too frequently the inducement, and the means of creating feuds between those who have made, and those who have received pecuniary advances. Whatever frauds may be committed, losses sustained, violence perpetrated, or blood be shed, are justly attributable to the wealthy party, by whom the poorer man has been instigated. Every moral code would pronounce the rich delinquent equally culpable ; and while the law of England, in theory, makes the head which contrives, and the hand which perpetrates, alike amenable in practice; it invariably punishes with greater severity the guilty origin of the outrage. It was for this wholesome object, that the second Section of this Regulation was. framed ; but, if it be repealed, the greater offenders will possess that immunity which wealth accords when punishment can only be administered through the tedious process of a regular suit, and allows those facilities of escape which attend procrastinated and expensive litigation.

Your Petitioners humbly submit that if the ground for repealing the third Section of this Regulation be the apparent want of reciprocity in the provisions of the clause, or the anomaly of enforcing a civil contract by penal enactments, yet experience has established that such laws are necessary for the protection of trade and agriculture, and that our statute abounds with enactments framed expressly on this principle. If a manufacturer or agriculturist had no remedy for a breach of contract against the numerous persons whom he employs, but by those regular legal proceedings, to which in other cases he must have resort, the want of a summary remedy would place him beyond the pale of all judicial redress. By a combination of his workmen he might in some cases have to institute a thousand suits more, and in all cases the tardy progress of litigation would generally tend to his ruin. The English legislature have for centuries been sensible of the necessity of vesting Magistrates with a summary jurisdiction over artificers and agricultural labourers, and to such an extent has this policy been carried in early days, that while Sections 9 and 47 of the 5th of Elizabeth, C. 46, enable Justices of the Peace to imprison servants who refuse to work, or abscond from their coun-

try, Sections 7 and 22 empowers them to compel persons out of employment to serve in husbandry ; and Section 24 even extends their authority over unmarried women. Your Petitioners would also refer to the more recent Statutes of the 20th Geo. II. C. 19. 17th Geo. II. C. 16. 31st Geo. II. C. 11. 6th Geo. III. C. 25. 57th Geo. III. C. 122. 58th Geo. III. C. 5. 4th Geo. IV. C. 34, 6th Geo. IV. C. 129. 9th Geo. IV. C. 31, and the 10th Geo. IV. C. 52; under the provisions of which, labourers and artificers, engaged in *almost every trade and calling*, (with the exception of domestic servants,) are placed under the summary jurisdiction of Magistrates. On this subject Mr. Joseph Chitty, one of the best legal writers of the day, has recorded his opinion in his recent work on the practice of the law by stating, " that *unfortunately*, as yet Magistrates have no control over menial or domestic servants, though a description of persons, to whom some summary remedies and punishments might be well applied."

That your Petitioners as manufacturers and tradesmen, entertain serious apprehensions when they perceive a principle of legislation adopted for the Mofussil, which is equally applicable to Calcutta, and must, if extended to this city, be attended with the most ruinous consequence to their business. Many of your Petitioners have several hundred workmen employed in their different trades, and they know from long experience, that they would be exposed to every species of fraud and plunder, but for the summary jurisdiction with which the local Regulations have invested the Justices of Peace. That by a Regulation of the 26th of July, 1814, Section 2, any workman or labourer who abandons his service, may be committed by the Magistrates to hard labour in the House of Correction for two months. And by Section 5, any European or American sailor found on shore without leave, or who has deserted his vessel, may be apprehended and conveyed on board, while an Asiatic or African seaman is subjected to a fine of fifty rupees or to hard labour for thirty days. By another Regulation of the 19th October, 1816, which recites " that great losses have been sustained by tradesmen from the frauds of their workmen," it is enacted that journeymen or artificers who neglect their work, or who combine to raise the price of wages, may

be sentenced by the Magistrates to pay a fine of one hundred rupees, or to hard labour in the House of Correction for two months.

That while the Government have been thus careful to guard the manufacturing interests of Calcutta, from the frauds of workmen, they have found it equally necessary to resort to similar measures for their own protection.

That by a Regulation passed on the 9th of July, 1819, reciting "that great losses and impediments had occurred in the daily business of the Mint from fraud, and neglect of duty in the workmen, it was enacted that if artificers employed in the Mint should not attend and commence work, or absent themselves, or refuse to work according to the Regulation, the Magistrates might summarily fine the offenders, or commit them to hard labour in the House of Correction.

Your Petitioners most respectfully beg leave to point out, that in all these three Regulations, there is no reciprocity whatever, nor any summary remedy given to workmen in cases where they may complain of their masters. All these Regulations have likewise been duly registered in His Majesty's Supreme Court, pursuant to the 13th Geo. III. C. 63, and must therefore have been sanctioned by the first authority in India on the law of England, as conformable and not repugnant to that law. Yet sanctioned as these Regulations have been by English law and English judges, your Petitioners fear that the same principle of legislation which is now leading to the repeal of similar ordinances in the Mofussil, may be extended to rescind the present local law of Calcutta, which your Petitioners fear would be attended with ruinous consequences to the manufacturing and trading interests of this city.

That while your Petitioners rely with confidence on the Statutes of Great Britain, and the sanction given by the King's Judges to the Calcutta Regulations as establishing the *legality*, and *policy* of the Sections it is proposed to repeal, they submit that the ordinance for the Mint, incontestably establishes the *necessity* for such laws. If the Government in its own capital require the help of such enactments for protection against those whom they employ, how helpless must be the European in the Mofussil, in the midst of lawless hordes, stimu-

lated by powerful rivals. Your Petitioners assert, that without this summary jurisdiction there is no law which can avail the planter ; he will be compelled as heretofore to depend on armed forces, to protect his rights, and redress his wrongs, and be driven to the hard alternative of submitting to ruin, or resorting to violence.

Your Petitioners affirm that previous to the passing of this Regulation, the most serious disorders prevailed in the Mofussil, the absence of an immediate remedy on emergent occasions, compelling the planter to have recourse to force; but since the Magistrate has been clothed with summary powers, these scenes of violence have become less frequent, and could greater efficiency be given to the Law, your Petitioners are confident that armed compulsion and resistance would rapidly disappear. The experiment has been tried, and your Petitioners pledge themselves to prove that the completest success has resulted : on its failure or success, they are willing to rest their case, and they entreat the appointment of a Committee who by personally inspecting the districts, and examining the authorities in the Mofussil, as well as the planters, and Native proprietors, may collect a body of evidence, which shall furnish the most ample and unimpeachable information.

Your Petitioners represent to your honor in Council that several of their body are extensively engaged in Indigo Cultivation, and therefore independant of the injury which they may sustain as Tradesmen, should this principle of Legislation be extended to Calcutta, some of them are immediately and equally interested with every Indigo planter in the Mofussil. That your Petitioners are aware that your honor in Council is to be addressed by the General body of Indigo planters, and they are also apprised of the line of argument to which that body have resorted. While therefore they admit the identity of some of their Members with the Cultivation of Indigo, it has been their desire to rest the objections urged in this Petition against the proposed alteration on reasoning, and on facts, applicable to themselves only as the Trade Association of Calcutta, at the same time bringing fairly into view the peculiar interests of those among their body, who are engaged in Indigo Cultivation.

But the whole Trade Association will in another manner be directly, but severely affected by the proposed repeal. On the existence and prosperity of the great body of Indigo planters, a considerable portion of their business depends, and they must consequently be deeply interested in those legislative measures, which may be destructive of the prosperity of so important a class among their customers. Your Petitioners likewise respectfully beg leave to submit that if they have been correctly apprised of the objections of the Court of Directors, that it by no means follows that the repeal of Sections 2 and 3, is the *only method* of altering the Regulations, to meet the views of the home authorities. Instead of repealing these Sections your Petitioners would respectfully propose that a new Regulation should be passed, giving to the ryuts a summary redress and remedy, to be administered by the local Magistrate for all grievances or oppressions which could possibly occur. Your Petitioners particularly refer to an excellent and salutary Act of Parliament, the 5th of Geo. IV. C. 96, entitled, "An Act to consolidate and amend the laws relative to the arbitration of disputes between Masters and Workmen," and which they submit might be the model of a most beneficial Regulation, enabling the local Magistrate on all disputed questions of fact, and whenever he might deem it necessary to resort to the assistance of assessors, and thus giving to the Nativos a tribunal, analogous to their much cherished *Punchayet*.

On the last point which relates to the alteration by the home authorities of local Laws enacted by the Government of this country. Your Petitioners humbly submit that a Regulation adopted by the Governor General in Council after the maturest consideration and enquiry, which has for years afforded universal satisfaction, and drawn forth no remonstrance, ought not to be repealed on the first order of the Court of Directors, without first apprising them, how well it has worked, and the sensation which has been excited by the proposal to rescind it. Your Petitioners altogether repudiate the most distant intention of questioning the wisdom or authority of the Court of Directors, or their anxious desire for the weal and prosperity of the country ; but they may without disrespect affirm, and it would be

folly to deny, that the local Government, and the community subject to their rule, must after five years' experience be better judges of the effects of a local Law, than a superior but distant body, many of whom were never in the country, and none of whom have resided here since the most important changes have taken place in the feelings and intelligence of the people, as well as in the mode of administering the Government. They would therefore humbly suggest that unless your Honor in Council had previous to the receipt of the despatch from the Court of Directors, contemplated the repeal of the Regulation, that you would postpone acting upon the order received, and submit to the Court, whether they will require its adoption, when apprised of the opinion of your Government, of the anxious wishes of the community, and of those beneficial results which a five years trial of the present Law has established.

Your Petitioners also venture to hope, that your Honor in Council will take into consideration the expediency of appointing a Committee to obtain evidence as well as the feasibility of passing a supplementary Regulation, to give reciprocity of redress to the ryut, and aiding the Magistrate, when he may require it, by a system of assessors or arbitration.

Your Petitioners therefore humbly pray, that Sections 2 and 3, of Regulation V. of 1830, may not be rescinded, but that such alteration and revision of the whole Regulation may be made as shall afford a perfect reciprocal protection to both the planter and the ryut, and yet preserve the summary mode of proceeding before a Magistrate.

And your Petitioners will ever pray, &c.

A. ROGERS,

29th July, 1835.

Master of the Trade Association.

To A. ROGERS, Esq:

Master of the Trade Association,

SIR,

I am directed by the Hon'ble the Governor General of India in Council, to acknowledge the receipt of your Letter of the 29th ultimo,

submitting a Petition from the Trade Association, on the subject of the projected repeal of the 2nd and 3rd clauses of Regulation V. of 1830.

2nd. In reply, I am desired to acquaint you, that the Governor General in Council has not been able to discover any sufficient reason against giving effect to the contemplated provision for rescinding the objectionable provisions of Sections 2 and 3 Regulation V. of 1830, and that consequently an Act, of which a Copy is enclosed, has been passed for this purpose by the Legislative Council.

3rd. The Governor General in Council is at the same time exceedingly desirous to adopt every measure for the protection of the interest of the Indigo Planters, which may be consistent with the justice due to the rest of the community; and after much anxious deliberation on the subject, it has occurred to him, that some Rules, to the following effect, might meet the wishes of that respectable body, without being obnoxious to complaints from other quarters.

I. Suits for the breach of any contract for cultivating or delivering Indigo Plant, or for any payment in consideration of the cultivating or delivering of Indigo Plant, to be instituted before a Magistrate, or Joint Magistrate.

II. Such suits to be tried summarily without any fees or written pleadings.

III. The Magistrate or Joint Magistrate to be authorized to examine both the Plaintiff and the Defendant, and to make his award upon such summary trial.

IV. If the award be in favor of the Plaintiff, the Magistrate, or Joint Magistrate to assign to the Plaintiff such damages as he may think fit, and if in favor of the Defendant, to assign to the Defendant a sum which may be a compensation to him for the expense and loss of time occasioned by the proceeding.

V. A copy of the award signed by the Magistrate or Joint Magistrate, to be delivered to the successful party, and the successful party to be entitled to take property in satisfaction of the said award, and under the same Rules, by which property may now be taken in satisfaction of arrears of rent.

4th. The above is merely the outline of the provisions which the Governor General in Council would be disposed to enact, but should any objections or suggestions occur to the parties whom you represent in connexion with those provisions, the Governor General in Council would be glad to be made acquainted with them, before entering into any further consideration of the question.

I am, Sir,

Your most obedient servant,

W. H. McNAGHTEN,

Secy to the Govt of India.

Council Chamber, }
the 3rd Augt 1835 }

FORT WILLIAM.

LEGISLATIVE DEPARTMENT.

The 3rd August, 1835,

The following Act passed by the Hon'ble the Governor General of India in Council on the 3rd August, 1835, is hereby promulgated for general information.

Act No. XVI. of 1835.

Be it enacted that from the 1st of November, 1835, so much of Section 2 of Regulation V. of 1830 of the Bengal Code as provides that persons instigating and inducing ryuts to evade the performance of their engagements may be prosecuted for the full amount of the penalty specified in the original agreement of the ryut, together with all expenses and costs of the suit, and Section 3 of the same Regulation providing that persons contracting for the cultivation of Indigo Plant who shall wilfully neglect or refuse to sow or cultivate the ground specified in their engagement, shall be deemed guilty of a Misdemeanor, and liable to punishment, be rescinded.

W. H. McNAGHTEN,

Secy. to the Govt. of India.

Q.

To C. MORLEY, Esq.

Accountant General.

Sir,

On the 6th of March last, my predecessor Mr. G. F. Remfry, had the honor to address you on the subject of the delay experienced in obtaining interest from the General Treasury due on Company's Paper. The insecurity to proprietors by the method adopted in receiving and redelivering such paper, and the coinage of a copper currency to represent the pie of account, copy of which address is hereto annexed for ready reference.

Not having been favored with a reply to the communication above alluded to, the Committee presume that the multiplicity of your regular official business has caused the circumstance to escape your memory, but to which, considering the great importance of the measures, I beg now to call your attention.

To the 6th par. of the letter referred to, the Committee of the Trade Association are particularly desirous of directing your attention, impressed as they are with a belief of the importance of carrying out, in the amended form now to be proposed, the recommendation therein contained.

It was proposed in the former letter that a copper coin should be thrown into circulation representing the $\frac{1}{3}$ of a Pesa or Pase, or the $\frac{1}{12}$ of an anna, but the Committee of the Association are of opinion that a more convenient division would be the $\frac{1}{6}$ of an anna, or the $\frac{1}{2}$ of a Pesa, and in this opinion they are borne out by every intelligent Native whom they have consulted on the subject, added to which, there is this fact, that the latter division assimilates with the Native mode of account, whilst the former has no corresponding division with them, being entirely English.

It will be clearly seen by the following divisions of the smaller Currencies, that of the two, the division of $\frac{1}{6}$ is the preferable.

According to the present division of the anna into 12 parts, the Native Puckah division would be as follows :

4 Cowries... 1 Gundah	4 Pysa	1 Anna
6½ Ditto..... 1 Pie*	16 Annas.....	1 Rupee
3 Pie..... 1 Pysa or Pace		

And the Native Cutcha division would be as follows :

4 Cowries... 1 Gundah	3 Pie	1 Pysa or Pace
20 Gundahs.. 1 Pun	4 Pysa	1 Anna
53½ Cowries.., 1 Pie	16 Annas	1 Rupee

But according to the proposed division of the anna into 16 parts, the Native Puckah division would be as follows :—without a fraction.

4 Cowries... 1 Gundah	16 Quarter Pysa	1 Anna
5 Cowries... 1 Quarter Pysa	16 Annas	1 Rupee†

And the Native Cutcha division would be as follows :—also without a fraction.

4 Cowries... 1 Gundah	2 Pun	1 Pysa
40 Ditto	1 Quarter Pysa	4 Pysa
2 Quarter Ps. 1 Pun or ½ Pysa	16 Annas	1 Rupee‡

The Committee are further of opinion that it would be advantageous to issue a coinage of 1 Anna pieces : $\frac{1}{2}$ Anna pieces, and $\frac{1}{4}$ Pysa, thus giving to the Anna its divisions, and sub-divisions in an actual coin, extremely convenient to the very poor of the community.

The coin which they would suggest as a complete copper currency is as follows :

A 1 Anna Piece	$\frac{1}{2}$ Pysa or Pace
$\frac{1}{2}$ Ditto	$\frac{1}{4}$ Pysa or Pace
$\frac{1}{4}$ Ditto or Pysa, or Pace	

See.—Prinsep's Useful Tables, page 3, on the denomination of this coin.

† 4 Cowries, 1 Gundah.			
5 Ditto	1½ Ditto	1 Quarter Pysa.	
80 Ditto	20 Ditto	16 Ditto	1 Anna.
1280 Ditto	320 Ditto	256 Ditto	16 Anna, 1 Rupee.
‡ 4 Cowries, 1 Gundah.			
40 Ditto	10 ditto	1 Quarter Pysa.	
80 Ditto	20 ditto	2 ditto	1 Half Pysa or Pun.
160 Ditto	40 ditto	4 ditto	2 ditto 1 Pysa.
640 ditto	160 ditto	16 ditto 8 ditto 4	Pysa 1 Anna.
10240 ditto	2560 ditto	256 ditto 128 ditto 64	ditto 16 ditto 1]

To the first, or one anna piece some objection may be raised on account of its weight and bulk rendering it an inconvenient coin, but this inconvenience is I presume more ideal than real, and argumentatively, the one anna piece would seem the most convenient, for if a person has to carry with him 4 annas:—query, would that be most conveniently carried in 4, or in 16 pieces:—There would, legally be no difference of weight between the 16 and the 4 pieces. The weight, however, of the one anna pieces would only be 100 grains heavier than the present English Penny: 40 grains, or 3 annas 6½ pies heavier than the double Rupee of Act XVII. of 1835, and 12 grains lighter than the old English Penny.

The weight of the proposed copper anna, its divisions and sub-divisions would be as follow:

		Tola	Anna	Pie.
1 Anna piece	= 400 grains or	2	3	6½
*½ Anna piece	= 200	„	1	1
¼ Anna piece	= 100	„	„	8
½ Pysa .....	.....	= 50	grains or	4
¾ Pysa .....	.....	= 25	..	2

The half Pysa would not be a new coin to Bengal, considerable quantities were struck in the years 1792 to 1802, and 1808 to 1810.

The above division of the pyce has the advantage likewise of a close approximation to the chittack of the new or Indian mun,—for

2 — One anna pieces	}	Make exactly 1 chittack
1 — ½ Ditto ditto		
1 — One anna piece	}	Make exactly ½ a chittack
1 — ½ Pysa		
1 — Half anna piece	}	Make exactly ¼ chittack
1 — ¼ Pysa		

The Committee of the Association have taken the opportunity afforded by the intended proclamation regarding the new coinage of the Company's Gold Mohur, and Rupee, bearing the effigy of Her Majesty Queen Victoria, to lay these propositions before you, as one the most fitting for the change, and I trust that the measures proposed

* Enacted Act XXI of 1835, but never yet coined.

will meet with your approbation and cordial support ; should you, however, see reason to differ from the Committee in the views they have taken on the subject ; I have still to beg the favor of your forwarding this letter, with all practicable despatch, to the Governor General in Council, in order that His Lordship may be acquainted with the wishes of the Association, previous to the issue of the proclamation above referred to regarding the Gold and Silver currency.

G. SHEARWOOD,
Master.

Calcutta, Trades Hall, }
August 12, 1840. }

TO THE MASTER OF THE CALCUTTA TRADE ASSOCIATION
SIR,

I beg to acknowledge the receipt of your letter of the () August instant, and in reply to request, that you will be good enough to inform the Calcutta Trade Association, that Mr G. F. Remfry's letter to me of the 6th March last, was duly submitted to Government, and if you will do me the favor to call when convenient at my office, I shall be happy to communicate the purport of the reply which Government have recently been pleased to make on the subject.

2d. A further object in requesting an interview is, that I may also have the opportunity of obtaining some additional information on the subject of your letter under acknowledgment, and likewise of discussing with yourself the propositions therein made, before submitting them for the consideration of superior authority.

I have the honor to be, Sir,
Your most obedient servant,

C. MORLEY,
Accountant General.

Accountant General's Office.
Fort William, the 15th August 1840. }

C. MORLEY, Esq.,

Accountant General.

SIR,

With reference to the interview that Mr. Henry Burkinyoung, the Treasurer, and myself, as Master of the Trade Association, had the honor of holding with you on the 20th ultimo, regarding the proposed new coinage for India, I now beg to inform you that we laid before the Committee of the Trade Association, at a Special Meeting convened for that purpose, on the 10th instant, the several remarks you made upon our former Communications with you upon this subject, and the suggestions you offered through us.

By desire of the Committee of the Trade Association I now submit to you their opinion amended under your suggestions.

They agree with you that the coinage of large copper pieces of the value of one anna would not be advisable.

They recommend a Gold coinage, but of the following values :

1 Mohur .....	.....	.....	16 Rupees.
$\frac{1}{2}$ Ditto .....	.....	.....	8 Rupees.
$\frac{1}{4}$ Ditto .....	.....	.....	4 Rupees.

They still most strongly urge the small copper coinage of value of the half, quarter, eighth and sixteenth of an anna : this is a convenient division for keeping accounts to all classes of people, and this small coinage itself will, the Committee are of opinion, be of the greatest advantage to the poor of the country, in protecting them from the rapacity of the money-changers.

I have the honor to be, Sir,

Your obedient humble servant,

G. SHEARWOOD,

Calcutta, 15th Sept. 1840.

Master, T. A.

C. MORLEY, Esq.,

Accountant General.

SIR,

On the 12th August last, my predecessor had the honor to address you on the subject of the gold and copper currency, in which com-

munication it was suggested that the anna be divided into sixteen instead of twelve parts, and that a copper coin be struck to represent the 16th, 8th, 4th and $\frac{1}{2}$ of the anna thus divided.

Although you have not touched upon this subject in your official communications with the Association; yet it is recorded that at the interview which the late Master of the Association had with you, that you had promised to send the suggestion up to Government with your favorable opinion, and that you would communicate to the Association the decision of the Government, in the matter.

Aware that your time is fully occupied with important matters in the official routine of your very onerous situation, I fear the suggestion of the Committee may have been diverted from your attention, I have therefore, in accordance with a resolution passed at the Committee Meeting of the 10th instant, to solicit the favor of your informing the Committee, if, there has been placed before Government any favorable representation from you of this Committee's suggestions, and also if the Government have returned any reply thereto.

I have the honor to be, Sir,

Your obedient humble servant,

II. BURKINYOUNG,

Calcutta, Trades Hall, }
the 19th July, 1841. }

Master, C. T. A.

To H. BURKINYOUNG, Esq.,

Master, Calcutta Trade Association.

SIR,

With reference to your letter of the 19th instant, I have the honor to observe that the last communication made to the office by the Association on the subject of the local coinage, was that bearing date the 15th September last, by which I was informed that they agreed with me in regard to the inexpediency of a coinage of copper pieces of the value of one anna, and that at the same time they recommended a Gold coinage of

1 Mohur	16 Rupees.
½ Ditto	8 Rupees.
¼ Ditto	4 Rupees.

and a copper coinage of the value respectively of the Half, Quarter, Eighth and Sixteenth of the anna.

2. The Association are aware, that the existing Law provides for the coinage of Gold pieces of the following values, namely.

1 Mohur	15 Rupees.
½ Ditto	10 Rupees.
¼ Ditto	5 Rupees.
1 Double ditto	30 Rupees.

In regulating the proportionate value of Gold to Silver according to this scale, the object in view was to assimilate the same with that obtaining acceptance in Southern and Western India, with reference at the same time to the market value of Gold as compared with Silver; and since the arrangement in no way interferes with the keeping of accounts, nor subjects the public to inconvenience, and as moreover the Association has offered no reason why the present scale of values should be abandoned, it appears inexpedient, in my humble opinion, to submit their proposal for the consideration of Government.

3. With reference to the descriptions of copper coinage coin recommended by the Association, I beg to remark, that the coinage of the Half and Quarter anna pieces has already been provided for by Act XXI of 1835 ; and that in respect to their suggestions for the coinage of copper pieces of the value of the eighth and sixteenth of an anna, it is not improbable I think, with reference to the high comparative cost of maintaining a copper circulation of such small value, the Government, though ever desirous of complying with the reasonable wishes of the community, might yet hesitate to undertake the introduction of the proposed change in the copper currency :—nor am I without apprehension that the attempt to circulate a varied copper currency would not again produce the evils which were so loudly complained of a few years ago, from the disturbed state of this description of money; for if the proposed subdivisions of the anna be not distributed throughout the various districts of the country in due proportion; or if a prejudice should arise in favor of any particular description of this currency, an exorbitant batla would be established, and the same evils recur to which I have adverted. Indeed, the

introduction of any change in the copper currency of British India requires the greatest circumspection, and as the Government have only recently succeeded, after long and anxious management and at a considerable expense, in establishing a copper currency of uniform value with which the community at large appear to be well satisfied, I would, with reference, submit to the consideration of the Association, whether it may not be prudent to avoid risk of disturbing it. To shew that there is no urgent demand for a more minute subdivision of the copper currency, I beg leave to refer to the issue several years ago of the pie pice, (twelve to the anna), which though it afforded a multiplied subdivision of the anna, has, nevertheless, proved to be unacceptable, and the only explanation of this fact which has been stated in objection to that coin, viz., that it does not accord with the native method of bringing small money to account, would seem to be inapplicable, seeing that the poorest classes for whose use this description of money was issued, do not record their receipts and disbursements. In proof of the unremitting attention which Government now bestows on the important subject of providing a convenient proportion of small currency, it is gratifying to me to be able to state, that a coinage of two anna Silver pieces is now under preparation and will speedily be issued to the public.

4. In conclusion I request, that the Association will accept my apologies for the delay which has occurred in replying to their last letter, and if it should be their determination to renew the discussion of the subject under-consideration, that they will be so good as to communicate their sentiments to Government through the Financial Secretary.

I have the honor to be, Sir,

Your most obedient servant,

C. MORLEY,

Accountant General.

Fort William.
the 29th July, 1841. }

To G. A. BUSHBY, Esq.,

*Secretary to the Government of Bengal,
Financial Department.*

SIR,

At a Meeting of the Committee of the Trade Association on the 7th August, it was resolved, in consideration of the great benefit which it appeared to that body was likely to accrue from the modification of the copper currency proposed in a letter addressed by the Master of the Association to the Accountant General on the 12th of August 1840, that agreeably to the recommendation of the Accountant General in his letter to the Master of the Association of date the 29th of July, the subject should be brought to your notice, with an earnest recommendation that the question be submitted for the consideration of the Governor of Bengal; agreeably to which resolution I have now the honor to forward copy of my letter to the Accountant General above referred to, also that Gentleman's reply of date the 29th of July last.

In submitting the Accountant General's reply it becomes expedient to enter into some explanation of the correspondence to which it refers, and also to meet, if possible, the objections set forth by that Gentleman to the measure proposed.

In the first Par. of Mr. Morley's letter, he states that the Association agreed with him in regard to the inexpediency of coining copper pieces of the value of one anna, and that at the same time they recommended a gold coinage of the following division :

1 Mohur of.....	.....	16 Rupees.
½ Ditto of .....	.....	8 Rupees.
¼ Ditto of .....	.....	4 Rupees.

In regard to the first, although connected with the proposed modification of the copper coin, the Committee did not consider the coinage of it of such importance, as to warrant their opposing the recommendation of so competent an authority, they therefore did not urge it. In reference to the second, or the coinage of the gold, the Committee request me to state that it was a subject which, with them, at that period, engaged little or none of their attention, and was, by

them, in consequence of the very limited circulating use to which such coin was put, intended to have been omitted entirely from their letter, until its introduction was recommended by Mr. Morley, and then it was to the Committee a matter of indifference as to whether the recommendation met with approval or not: Since forwarding the letter of the 12th August, 1840, the subject has undergone the careful examination of the Committee, and had it received from them the same attention previous to forwarding the letter above referred to, it is more than probable that they would not have recommended a coin being struck of so inconvenient a division, as regards the relatively intrinsic value of the Company's Rupee:—but from the fact of the fluctuation in the value of gold, arising mainly from the demands induced by the political state of the country, they entertain no hope of this currency finding a steady circulation until the agricultural and manufacturing interests of India shall have been much better secured, the distant parts of the country brought close by canal and road communications, the petty jealousies of independant states removed, and the inroad of semibarbarous hordes effectually prevented, the result of which will be the firm impression on the mind of every inhabitant of India that he is secure in the possession of his property, let it consist of what it may.

In regard to the smaller divisions of the copper currency, the Committee consider the reasons set forth in their letter of date the 12th August, 1840, not at all affected by the Accountant General's reply; the Committee were aware that the coinage of the half and quarter anna had been provided for, as reference to the note in their letter will prove, but they are led to believe that not one single piece of the half anna has been struck since the promulgation of the Act referred to.

With reference to the comparative cost of maintaining a copper circulation of the small divisions recommended by the Association, I am instructed to observe that each quarter pyce will weigh 25 grains, and that 256 of them will circulate for a Rupee, or 25600 for 100 Rupees; that one hundred Rupees worth will weigh 1 Mun, 4 Seers, 7 Chittacks, which, at the average market rate of copper, (42 Rs.

per Mun) will cost Co.'s Rs. 46-10-6, leaving 53-5-6 on every 100 Rupees' worth coined, to meet the incidental expense of coining, and the Association presume the machinery of the mint is fully equal to the execution of this coinage.

The Association are impressed with the belief, that the Accountant General has misapprehended their recommendation when he writes of the introduction of the proposed change in the copper currency: they are also of opinion that his apprehensions in regard to a return of the evils complained of a few years ago, in consequence of the disturbed state of the copper currency, are unfounded, as there can be no analogy between the two cases; the disturbed state of the copper currency at the time referred to, was solely attributable to the circumstance of the Government throwing into circulation a new copper coinage, of a different description to that of the old worn out coin, the consequence of which was, the old lost its value in the market, and the new coin obtained a premium, and not until the old coin was partially recalled, and received at the Government Treasuries in payment, and a sufficient quantity of new coin thrown into circulation, to meet the displacement of the old, did the panic subside. It must also be remembered that the old copper coin was issued at 64 to the Sicca Rupee, and received back by the Government at 64 to the Company's Rupee, or at a discount of 6 $\frac{2}{3}$ per cent. this very circumstance was calculated to produce a feeling of distrust, and the panic which took place.

But the Association propose no change in the present coin: they only propose a division of the present anna of account into 16 parts, instead of 12; and a coinage to represent these parts; the half anna or double pyce provided for but not coined, the pyce or one-fourth of an anna now in circulation, the $\frac{1}{4}$ pyce, neither provided for, nor coined; and the $\frac{1}{2}$ pyce neither provided for, nor coined; and these divisions they propose for the reasons stated in their letter to the Accountant General of the 12th August, 1840.

The issue of the pie pieces referred to by the Accountant General, and stated by him not to have passed in circulation, was a coin of a very different description to that now proposed, and the reason

why that did not find acceptance with the Native community, may be attributed to the impression which it bore, and which circumstance it will be found has been noticed in the late Mr. James Princep's Useful Tables at the bottom of page 3.

In the full assurance that the importance with which the Association view the measure proposed, will be deemed a sufficient apology for their intruding upon you with their opinions,

I have the honor to be, Sir,

Your obedient servant,

H. BURKINYOUNG,

Calcutta, Trades' Hall,
the 16th Sept. 1841. }

Master.

To H. BURKINYOUNG, Esq.,

Master, Calcutta Trade Association.

Financial Department, Mint.

SIR,

In reply to your letter and its enclosures of the 16th instant, I am directed to acquaint you for the information of the Calcutta Trade Association, that the Right Hon'ble the Governor General in Council is much averse to any changes in the copper currency, as advantage has always been taken by shroffs, on such occasions, to disturb the circulation, and the advantage of sub-dividing the anna as suggested in Mr. Shearwood's letter to the Accountant General, dated the 12th of August, 1840, with proportionate weights of metal for facilitating petty retail transactions and account, in the opinion of His Lordship in Council, is much overrated, independently of the expense of coining such small copper pieces.

I am, Sir,

Your obedient servant,

G. H. BUSHBY,

Secy. to the Govt. of India.

Council Chamber,
the 29th Sept. 1841. }

R.

To H. T. PRINSE, Esq.

Secretary to Government.

SIR,

We beg to bring to your notice, that a deputation of the Calcutta Trade Association, had the honor of waiting on the Accountant General, about a month ago, to offer their assistance in circulating the new silver and copper coin, and particularly in exchanging silver for copper without deduction of any kind. This offer was made entirely from a desire to repress the extortion of the shroffs, who taking advantage of the poor and ignorant natives, had for some time compelled them to pay a heavy discount, on exchange, of from two pice to two annas in the rupee, according to circumstances ; European and other inhabitants of Calcutta also suffered equal loss and inconvenience with the additional annoyance of knowing that the exchange, or batta demanded, was a gross and impudent extortion, for which however they could obtain no redress.

Under these circumstances the services of the Trade Association were offered experimentally, in the hope that they might be able to abate the evil complained of, and that offer was promptly accepted by the Accountant-General and Sub-Treasurer.

Accordingly on the 28th of last month, by order of the Sub-Treasurer, the Mint Master commenced supplying the Association with pice to the amount of Company's rupees one thousand daily, and the distribution of the same commenced, at par, in exchange for new rupees. Subsequently, to meet the increasing demand, the daily supply of pico to the Association has been raised to thirteen and eventually to fifteen hundred rupees. This amount has been issued, in portions, from ten offices, in different parts of the Town, as specified in the margin, at an expense, to the parties engaged in the distribution, of about one hundred and thirty rupees monthly, for podars, &c., besides the personal superintendence of the principals and the partial assistance of their sircars.

A month having elapsed, during which a fair opportunity of trying the experiment has been obtained, the Committee now beg to state

for the information of the Right Honorable the Governor-General in Council, that they consider their labors to have been attended with as much success as the limited supply of pice hitherto granted to them would permit, and they regret, that want of means has seriously crippled their endeavours to check the exactions of the money changers, who in distant parts of the Town and its suburbs, where the Association have no agents, still demand from two to six pice batta on the new rupee and otherwise succeed in depressing its value.

The demand for pice is daily increasing, and to ensure the complete success of the plan adopted by the Association, it is necessary to double the present issue of pice and to increase the number of agents, for its distribution, so as to embrace distant parts of the Town and its suburbs, as particularized in the annexed schedule, which also exhibits the amount of pice the Committee think would and should be daily disbursed at the different places specified.

The necessary expense attendant on this extension of the issue of pice is also given in the schedule.

If it be desired that the Committee should continue their labors on the proposed extended scale, it is hoped that Government will not object to defray the actual outlay, until circumstances render it unnecessary, of which the Government will be the judge. In either case the Committee will be happy to supply a monthly report, exhibiting the distribution of pice at the several offices with remarks upon the increase or decrease of the demand, which will enable the Government to decide upon the usefulness or otherwise of the labors of the Association.

It may be necessary in explanation of the item charged for interest in the schedule, to state that at present the capital employed by the Association in purchasing and distributing the pice, is five thousand rupees, but upon the extended plan proposed, the sum of 10,000 rupees will be required, that being about the amount of the issue of pice, and small silver, for three days, the period occupied in paying the money into the Treasury, obtaining the pice from the Mint, disbursing, realizing and again paying it into the Treasury for a fresh supply.

The loss of interest of money to the Association may be avoided, and the charge can be removed from the schedule, by giving a credit, under guarantee, at the Treasury or Mint, to the necessary amount required.

The Committee beg distinctly to state that they make no claim for remuneration for past labor or expenses, but should Government desire the plan of their operations to be extended, they ask for payment of their actual expenses.

The Committee beg to observe that it would facilitate their labors, if the amount of pice which may be granted by them for distribution were daily supplied by the Mint before any other private order for pice was complied with; and should there be found any difficulty in supplying the specified amount daily, it is respectfully suggested that the re-issue of old sicca pice at 6 $\frac{1}{4}$ per new rupee, should there be any in store, would not only afford more time for the new pice being coined, but would also check the present extortion on the old pice, which bear a premium in the market and pass for a greater value than the new pice: when a sufficiency of the latter comes into circulation the old pice might be called in if necessary.

It is further suggested that on the approach of any public holydays, during which days the Mint will be closed, (as has happened for about six days during the past experimental month,) notice be given to the Master of the Association, in order that he may apply for a sufficient quantity of pice to last during such holidays, as at such times the demand is great, the disappointment and inconvenience to the public considerable, and the necessity of writing notes in explanation to applicants occasions much, and otherwise unnecessary, labor to those who gratuitously undertake the distribution of the pice.

The special object of this communication is to inform the Right Honorable the Governor-General in Council, of the amount of our last month's experimental operations, to suggest measures for ensuring a more successful result, and to induce the Government to bear the actual expense incurred by the Association in their endeavours to repress the extortion of the shroffs, and assist in introducing the new

Currency, which has been attended with some inconvenience to all, much difficulty to many, and great loss to several of their members; all which, however, has been patiently, if not cheerfully, borne by them, in the full hope of the perfect establishment of an uniform currency, and a fixed standard of weights and measures throughout India.

I have the honor to be, Sir,

Your most obedient servant,

F. H. BURKINYOUNG,

Master, Trade Association.

Calcutta, Trade Rooms,
30th April, 1836.

SCALE FOR THE DISTRIBUTION OF PICE.

<i>Offices for Exchange.</i>	<i>Daily Issue.</i>	<i>Establishment.</i>
Trade Rooms.	300 Rs. of Pico.	Monthly salary to head Sir-kar, C. Rs. 20 0 0
Loll Bazar.	300 ditto ditto	Superintendent, Podar & Assistant, 16 0 0
Baitakanah.	300 ditto ditto	Podar and Assistant, 10 0 0
Cossitolloh.	300 ditto ditto	Ditto. 10 0 0
Old Court House Street.	200 ditto ditto	Ditto. 10 0 0
Tirettee Bazar.	400 ditto ditto	Ditto. 10 0 0
Burrah Bazar.	200 ditto ditto	Ditto. 10 0 0
Sobah Bazar.	200 ditto ditto	Ditto. 10 0 0
Sulkeah.	100 ditto ditto	Ditto. 10 0 0
New Bazar.	200 ditto ditto	Ditto. 10 0 0
Ballygunge.	50 ditto ditto	Ditto. 16 0 0
Kidderpore.	100 ditto ditto	Ditto. 10 0 0
Bhowanipoor.	100 ditto ditto	Ditto. 10 0 0

SCALE FOR THE DISTRIBUTION.—*Continued.*

<i>Offices for Exchange.</i>	<i>Daily Issue.</i>	<i>Establishment.</i>
Maniktolloh	50 Rs. of Pice.	Assistant, 6 0 0
Daily, Co. Rs. . .	2,800 ditto ditto	Four Po- dars to count pice at the Mint, 20 0 0
		Rent of a few stalls,.. 40 0 0
		Hackeree, Cooley and Boat hire, 10 0 0
		Monthly interest for capital, Rs.♦ 10,000, at 8 per cent., 66 10 8
		Sundries,.. 5 5 4
Monthly Total C. Rs.....		310 0 0

To MR. F. H. BURKINYOUNG,

Master of the Trade Association.

SIR,

I am directed to acknowledge the receipt of your letter dated the 5th instant, on the subject of the measures taken by the members of the Trade Association to prevent the extortions committed by shroffs and professed money changers, in the exchange of silver and copper money.

2nd. The Right Honorable the Governor-General of India in Council is sensible of the benefit the population of Caleutta has derived from the public-spirited endeavours of the Association to correct this evil, and the Governor of Bengal has had satisfaction in seconding their efforts by providing the Association with the new copper coin in preference to other applicants who realized a profit upon the issue. The advantage of receiving the coin, will be continued to the

members of the Association so long as they persevere in the measures they have undertaken, but His Lordship in Council cannot sanction the Government being put to any charge to effect the object in view, nor can he authorise their being furnished with the coin in advance.

3rd. The Government has abundant means of providing for the issue of the copper coin at par through the public Officers and Establishments, if it should be determined to be necessary to take measures for that purpose, and there are applicants for the coin who would engage for its issue at a minimum charge for the trouble. His Lordship in Council therefore feels that he should not be warranted in entering into special engagements with the members of the Association upon terms that might hereafter prove disadvantageous, and be productive of embarrassment.

I am, Sir,

Your obedient servant,

H. T. PRINSEP,

Secy. to the Govt. of India.

*Council Chamber, }
the 11th May, 1836. }*

To H. T. PRINSEP, Esq.

Secretary to the Government of India, &c. &c. &c.

SIR,

I was yesterday favored with your letter dated the 11th inst., which I have this morning laid before the Committee of the Trade Association.

I am requested by the Committee to state that they perceive with regret that, although the Right Honorable the Governor-General of India in Council is pleased to speak in terms of commendation of their "exertions to repress the extortion of the shroffs and other professed money changers," His Lordship "cannot sanction the Government being put to any charge to effect the object in view, nor can he authorize the Association being furnished with the coin in advance."

I am further desired to state that as it would appear from the 3rd paragraph of your letter that the Government "have abundant means of providing for the issue of the copper coin at par, through the public Officers and Establishments, if it should be determined to be necessary to take measures for that purpose,"—the Committee are led to suppose that their aid is not required, and they accordingly beg leave most respectfully to express their regret at having addressed his Lordship on the subject, under a misapprehension.

I have the honor to be, Sir,

Your most obedient servant,

F. H. BURKINYOUNG,

Master of the Association.

Calcutta,
21st May, 1836. }

S.

DEAR SIR,

The accompanying letters have been addressed to me, as Master of the Trade Association, by Alexander Rogers, Esq., and as the subjects they embrace are of very great importance to the Mercantile and Agricultural interests of India, I will feel much obliged by your giving them early insertion in your journal.

Yours faithfully,

W. TURNER,

Master, Calcutta Trade Association.

November 14, 1839.

DEAR SIR,

I now have the pleasure of informing you, that the Flax Experimental Society deputed me to proceed to Belgium, and there engage two working farmers of that country to go out to Bengal to superintend the cultivation and preparation of Flax there. I have succeeded in engaging two competent persons, who sailed from

this per *Vernon* on the 8th instant. I trust the Members of your Society will inform Messrs. Hamilton and Co. in what way the services of these men can be rendered most useful, by shewing practically the methods in common use in Belgium in cultivating and working the plants for market. They carry out all the tools and implements used in Belgium, which will serve as models. These are of very simple construction.

While in Belgium I had opportunities of ascertaining, by inspecting the modes in use there in forming Flax, and I find the directions contained in the pamphlet forwarded sometime since are generally correct. The quantity of seed recommended to be sown per biga, is not too much. Rippling is done in Belgium, when the plant is pulled, consequently while green; in Holland, the plant is staked for two or three days till nearly dry before rippling.

In many parts of Belgium it is rotted by steeping (while green,) in stagnant water, and then laid out on the grass to bleach away its impurities. In Holland it is not rotted for *four or five days* after it is pulled; the Dutch also use stagnant water. At Courtray (in Belgium,) the plant is allowed to ripen more, and is not put to rot for months or years after it is pulled; there *running water* is used. After rotting, the plant is frequently kept for years before it is scathed or brought to market. The Flax from Courtray and Lackour is very fine, and worth £73 to £140 per ton. In Cainault, Walton districts Flax is dew rotted; it is *not* fine, and worth only £30 to £45 per ton. Superior lands yield per Bengal begah equal to 13 cwt. of dry stalks, which should give 2 cwt. of Flax prepared for the market.

In conjunction with the growth of Flax for Fibre in Bengal, I would further beg to call the attention of your society to the mode of packing vegetable oils recommended by the enclosed correspondence. The duty on expressed oils from British possessions being only 1 per cwt. I should think no country could compete with Bengal in the supply of this article, of which Britain consumes annually 6,00,000, gallons. I have dispatched a quantity of very superior white *syssamum* (Syrian) seeds, which ranks here much higher than the brown, thick husked, light sort, imported from Bengal. I think it might

be introduced most beneficially into India. It may be had on application to Hamilton and Co.

Soliciting your assistance in furtherance of this experiment, which I consider very important.

I remain, my dear Sir, your very faithfully,

10, *Pinner's Hall,* }
Sept. 16, 1839. }

A. ROGERS.

SOCIETY OF ARTS.

PREVENTING LEAKAGE IN CASKS OF COCOANUT OIL.

Quilon, Travancore, March 21, 1839.

SIR,

Very considerable losses having been experienced for a series of years by the shippers of cocoanut oil, from warm climates to England, in consequence of leakage in the casks in which it was sent, equal at times to forty or fifty per cent. and being engaged in this branch of commerce to a considerable extent, I was induced, some time since, to direct my attention to discover the means by which casks might be rendered sufficiently proof against leakage. After a variety of experiments and trials, I found the following plan to answer my most sanguine expectations.

The hoops of the cask are to be driven on very tight; it is then to be filled (within eight inches of the bung,) with oil, and exposed to the action of the sun's rays, (in a tropical climate, sometimes 160° Fahr.) for twenty days or more, as may be necessary, taking care that on the first appearance of leakage the cask be placed on its end and the hoops again drove: this may be repeated until the cask is made perfectly tight, when it is to be filled up for the shipment. The nature of the oil and the heat will cause the staves to shrink very much during the first ten days.

By adopting this method of proving the casks, vegetable or animal oils may be sent to any part of the world secure from leakage. I have made many shipments to London from this country, and adopted the above method, without experiencing any loss, the casks having arrived quite as full as when they were shipped.

In corroboration of this statement, I beg to refer you to Messrs. Cockerell, Trail and Co., Austin Friars, to whom all the casks have been consigned.

Should this Society deem this statement worthy of their notice and approbation, I shall experience much satisfaction in having given it.

I am, Sir, &c. &c.

WILLIAM HUXHAM.

A. AITKIN Esq.,

Secretary &c. &c.

Austin Friars, March 27, 1836.

SIR,

We have the pleasure to acknowledge your letter of the 14th instant, requesting to know whether any leakage had occurred in the shipments of cocoanut oil sent to us by Mr. Huxham, of the firm of Beaufort and Huxham, Ceylon; and in reply thereto, we beg to inform you, for the information of the Society, that so far as we can judge from the invoices, very little leakage has arisen on this gentleman's shipments.

We may also mention, that previous to Mr. Huxham's joining the present partner, Mr. Beaufort, the deficiency on the latter gentleman's consignments was very considerable, extending sometimes to 20 or 30 per cent.; but that since Mr. Huxham's partnership such deficiency would appear to have nearly ceased.

We are, Sir, &c. &c. &c.

COCKERELL, TRAIL AND CO.

A. AITKIN, Esq.,

Secretary.

Austin Friars, May 9, 1836.

SIR,

We are in possession of your favor of the 6th instant, addressed to our Mr. Larpent, and in reply, we beg to acquaint you that we have communicated with our brokers on the subject, who

inform us that the consignments of cocoanut oil from Mr. Huxham had not imbibed rancidity from any process it might have undergone; nor did it differ in any way from cocoanut oil usually sent from Ceylon.

We are, Sir, &c. &c. &c.,
COCKERELL, TRAIL AND CO.

To A. AITKIN, Esq., &c. &c. &c.,

Comparative weights of Linseed, Rape, Mustard and Teel Seeds, with their present value, and Freight usually paid upon the two former articles from the Ports of the Baltic and Hamburgh, by J. and S. H. Griffin.

Danish and Dutch Rape Seed, is sold by the quarter of 8 bushels, and weighs about 56lb. per bushel, or 4 cwt. per qr. The freight is generally 4-6 to 5-6, or from 22-6 to 27-6 per ton. Its present value is from 55 to 56 per qr. duty paid. Duty 1 per qr.

Baltic Linseed, weighs from 52 to 56lbs. per bushel, or about 4 cwt. per qr. Freight, &c., the same as Rape Seed, and is worth from 42 to 46 per qr. duty paid. Duty 1s. per qr.

Mustard Seed meets the same as Rape Seed, but being subject to a prohibitory duty of 8 per bushel, or 64 per qr., can only be imported as white Oil Seed.

Teel Seed is used as a substitute. As for Rape, that which comes from Calcutta generally weighs 38lbs. to 42lbs. per bushel or 3 cwt. per qr., consequently about 6½ qr., or 26 maund's to the ton, it is sold by the qr., duty paid, and is at present worth from 36 to 36-6 per qr., the freight has lately risen from £4-10 to £6 per ton, or from 14 to 19 per qr.

From the above, we should recommend, more particularly when the freight is high, to have the seed crushed at Calcutta, and the Oil sent to England in water-tight packages, the duty upon expressed Oils from any British possession being only 1 per cwt. The cake, (more particularly linseed,) might likewise be sent; there being a constant demand for it for feeding cattle, it is worth from £8 to £12 per ton.

Rape Cake, £6 to £6-10 per ton.	
Result of 2 tons of Linseed either sent home from Calcutta in its original state, or crushed there and shipped as Oil and Cake.	
40 cwt. of Seed 10½ qrs. at 45 per qr. £23 , 12 , 6	
less freight..... 9 , 0 , 0	
	_____ 14 , 12 , 6
[Expenses of crushing, casks, &c., not ascertained.]	
40 cwt. of ditto : proceeds, 17 cwt. of Oil, at	
£27 , 10 per ton..... 23 , 7 , 6	
23 cwt. of Cake at £10	
per ton..... 11 , 10 ,	
	_____ 34 , 17 , 6
less freight..... 10 , 0 , 0	

The Oil 17 cwt..... 23 7 6	24 , 17 , 6
Freight	6 , 17 , 6
	_____ 18 , 0 , 0

T.

To C. MORLEY, Esq.,

Accountant. General.

SIR,

In reference to the subject of an interview which I had the honor of holding with you, attended by Mr. W. Turner, Past Master of the Trade Association, by the Committee of which body we had been deputed to wait on you, I have now the duty to report the result of my communicating to them, your answers to the various queries and suggestions submitted by us on that occasion, and on their part to acknowledge the polite consideration with which we were received by you.

Your explanations of the difficulties which would attend meeting the public wishes in regard to the delay of passing Co.'s papers for payment of Interest, are allowed to be reasonable, but your assurance

that means have been adopted for, as far as is prudent, remedying the evil, promises an improvement which it is hoped may be made permanent.

Relating to the present mode of receiving Company's Paper at the Treasury for Interest without granting receipts or acknowledgment of any kind ; the Committee of the Trade Association desire me to bring the subject again before you, and to beg thereto your most attentive consideration.

It is respectfully submitted that, although the present practice of registering deposits, as they occur, is an improvement on the old system of making no note thereof, still the system is so exceedingly defective and unsatisfactory, that it requires a remedy : — Without adding materially to the establishment at the Treasury, it is conceived an alteration may be effected which shall give what is wanted. The suggestion I have to make is, that parties depositing Company's Paper for interest, or for renewal, shall themselves fill up the number and amounts so deposited on blank printed forms to be supplied by the Treasury, and which shall only require the examination and signature of an appointed Officer or Clerk, to be a token of receipt, and that the papers shall not be redelivered without the production of such receipt, except (as in a case of loss.) under a Bond of Indemnity. By such a system the risk of misappropriation by servants is avoided, and it will be a guarantee to the Treasury Officers that in delivering back the papers, they are doing so to the order of the owning party, it would besides place proprietors in a position to demand their papers in case of the death of the Government Officer, or of any other casualty, and would be only what is due to holders of Government Securities as protecting them from possible losses.

The Trade Association accordingly hope, Sir, for your cordial co-operation in carrying out this suggestion, and that, if necessary, you will endeavour to obtain the sanction of Government to its adoption.

Another subject of our interview related to a more general use of the Copper Currency representing value of the ~~specie~~ of account, the want of which is much felt. I am requested to bring this again to

your attention; and to suggest that the old coins of this value being sicca, and also of such an indefinite stamp as is thought may have prejudiced the natives against its use, a new coinage of pie should be struck, and issued for circulation; this should be of just proportionate value to the other coins in existence, and bearing an impression that shall distinctly define its value; such a coin being eminently required, for the exact adjustment of all European accounts.

It is hoped that this also will be considered by you as worthy of support: and that you will have the goodness to use your best endeavours to have both propositions carried into effect, as early as possible.

I have the honor to be, Sir,

Your obedient servant,

G. F. REMFRY,
Master, Trade Association.

Calcutta,
the 9th March, 1840. }

TO THE MASTER OF THE CALCUTTA TRADE ASSOCIATION.

SIR,

Accountant General's Office, With reference to my letter of the 15th instant to your address, on the subject of Mr. Remfry's communication to me of the 9th March last, I have now the pleasure to forward, as requested at our late interview, a copy of the correspondence, which has taken place, between this Office and Government, regarding that communication, as noted in the margin

Ext act of letter fr. Govern-
t dated 6th July, 1840,
par 1, 2 3 4 and 7
Ext act of Do from Govern-
t in reply date 122d Do.
par 5, 1 and 2

2. The Trade Association will observe that Government have acceded to my application for an increase of establishment for the preparation of interest drafts and the renewal of Government Securities. In

consequence of the greater despatch with which this branch of the business of my department will now be conducted, I trust the Association will be of opinion, that the granting of receipts on the deposit

of Government Securities for any official purpose, may be dispensed with.

I have the honor to be, Sir,

Your most obedient servant,

C. MORLEY,
Accountant General.

Fort William,
31st August, 1840. }

Extract of letter to the Secretary to the Government of India in the General Department, dated 6th July 1840, pars. 1, 2, 3, 4, and 7.

1. I have the honour to request the favor of your bringing to the notice of the Right Hon'ble the Governor General of India in Council, that for some years past, especially at the periods at which the interest on the debt falls due, representations have been made to me by public creditors, of the delay which occurs in my office in the renewal of Government Promissory Notes held by them, and in the issue of drafts on the Sub-Treasurer for the Interest due thereon, and there being a gradual increase of dissatisfaction in consequence of the delay in question, an instance of which is furnished in the accompanying copy of a letter to my address from Mr. G. F. Remfry, the Master of the Trade Association, under date the 6th March last, and finding that with my best exertions I have been as yet unable to obviate the same, I feel at length compelled to address you on the subject, with the view to my being provided with additional establishment, should His Lordship in Council concur in the expediency of allowing it, in order to the removal of the inconvenience complained of.

2. The delay in question, I have the honor to report for the information of Government, is chiefly caused by a large increase of late years in the number of Promissory Notes and drafts passed for interest. This may be ascribed to the gradual increase of debt, and to the unceasing renewals and subdivisions of Notes, and in order to my shewing more clearly the extent of the increase, I beg to submit herewith a statement exhibiting the number of Promissory Notes passed

for interest, with a memorandum at foot indicating the number of interest drafts issued from the year 1835-36, to 1839-40 inclusive. It will appear from this statement that the number of Notes passed for interest during each of these years was as follows, viz.

In 1835-36.....	38,177.
„ 1836-37	41,066.
„ 1837-38	45,846.
„ 1838-39	51,829.
„ 1839-40	51,424.

So that the number of Notes passed in 1836-37 in excess of the preceding year was 2,889.
 Ditto In 1837-38 ... Do. 4,780.
 Ditto In 1838-39.... Do. 5,983.

In 1839-40 however there was a decrease in the number passed as compared with 1838-39, the cause of which is referable to a large quantity of Notes having been withdrawn by parties from the office of the Government Agent and not presented for Interest. Still however a comparison between the number of Notes passed for Interest in 1835-36 and 1839-40, shews an increase in the latter year amount

*Number of Notes passed for Interest
in 1835-36 38,177
Ditto in 1839-40 51,424

Difference 13,247

ing to *13,247, or to an extent of more than one-third the number passed in 1835-36. The number of Interest Drafts passed, has ranged as follows viz.

In 1835-36,.....	14,240
„ 1836-37,	15,138
„ 1837-38,	17,508
„ 1838-39,	18,381
„ 1839-40,	19,644

Thus shewing that the increase in 1839-40 as compared with 1835-36 was 5,404, or more than one-third the number passed in 1835-36.

3. Besides the delay caused by an actual increase in the number of Promissory Notes and Drafts which pass through this office,

additional delay unavoidably arises from collateral circumstances, such as the examination of endorsements on the Notes and the Powers of Attorney, by authority of which they are frequently made, and which often originate correspondence between myself and the parties, and the Advocate-General, in order to my admission of the endorsements under the powers executed:—a Promissory Note may thus become the subject of unavoidable delay, and the increased and increasing issue of them, necessarily entails an augmentation of duty for which it appears expedient to provide.

4. Government are aware that the Interest on Bengal debt is declared to be payable at certain fixed periods, this stipulation however is, I presume, not to be understood literally, but with some reasonable latitude, and I am disposed to think that the public would not object to a postponement of their Interest beyond the period fixed for its payment, if it did not exceed a week or ten days, whereas it has too often been more than double that time. Assuming that this principle is admitted, and alluding to the fact of the large increase of work in the department as above shewn, of which there appears to be no prospect of diminution, but rather of some increase, and being further impressed with the importance of preventing arrears and consequent embarrassment in the Loan and Interest branch of my office, I have the honor to solicit, that Government will be pleased to afford me some small additional establishment to the extent

*1 Assistant to aid in the Registry of Intt. Drafts and in correspondence connected with Promissory Notes, Rs. 170

1 Ditto ~~to~~ aid in the examination of } 80
ditto and checking Intt. payments, }

Monthly Co.'s Rs. 250

For Annum Co.'s Rs. 3,000

noted in the margin.* It will be satisfactory perhaps if I here point out, that the amount of the Fees on account of the renewal of Government Promissory Notes credited in the General Treasury accounts for 1839-40, is stated at Com-

pany's Rupees 5,227 5 4, which sum more than covers the additional establishment applied for; moreover if the increase in the number of Promissory Notes still continues, as is probable, some further augmentation of Fees may be expected.

7. In the letter of Mr. Remfry, before alluded to, a copy of which is hereto annexed, a suggestion is made for the observance of a systematic acknowledgment in my office of all Company's Paper tendered by the public for the payment of Interest or other purposes, in lieu of the practice heretofore followed of granting no acknowledgments, although the Notes when presented are entered in a Daily Register kept for the purpose. I feel reluctant however to recommend the plan for the approval of Government, because its adoption would not only entail further expense on the state to the probable extent shewn

*1 Assistant to receive all Promissory Notes presented for Interest, examining the endorsements and granting receipts for them, and on return of the Notes to obtain counter receipts from owners of them.	75
1 Ditto ditto presented for renewal do.	50
Monthly.	125
Per annum... 1,500	

in the margin,* but would have the effect of adding to the responsibility already placed on the establishment, and might load and embarrass it with details connected with Bonds of indemnity, which, as Mr.

Remfry observes, would become necessary in cases of return of Company's Paper to parties who may chance to lose the receipts given for them by this office. The present system therefore, which has been found to work well and without occasioning a single loss, should in my humble opinion continue to be upheld, and I am in hopes that when I am furnished with power to provide for the more punctual discharge of the duties of the Loan and Intt. branches, that complaints will cease.

Extract of a letter from the Secretary to the Government of India, in the Financial Department, dated the 22nd July 1840, paras. 1 and 2.

1. I am directed to acknowledge the receipt of your letter, dated the 6th instant, with its enclosure from Mr. G. F. Remfry, the

1 Assistant to aid in the Registry of Intt. Drafts and in correspondence connected with Promissory Notes. Rs. 170

1 Ditto to aid in the examination of ditto and in checking Interest payments, ... 80

Cos., Rupees 250

Master of the Trade Association, and in reply to inform you, that under the circumstances stated, the Governor General in Council has been

pleased to authorize the additional establishment proposed to be

entertained for the Loan and Interest Departments of your Office, at a monthly charge of Rupees 250, with a view to correct the inconvenience and delay which has been complained of in regard to the renewal of Government Promissory Notes, and the issue of Drafts on the Sub-Treasurer for Interest payable by him.

2. The Governor General in Council concurs with you in thinking, that the plan proposed by Mr. Remfry, for the observance of a systematic acknowledgment in your Office, of all Company's Paper tendered by the public for the payment of Interest, or other purposes, in supersession of the practice heretofore followed, is inexpedient.

C. MORLEY,

Accountant-General.

TO THE RIGHT HON'BLE GEORGE EARL OF AUCKLAND, G. C. B.

Gov. Genl. of India in Council.

dc. dc. dc.

The Memorial of the Calcutta Trade Association.

MOST RESPECTFULLY SHEWETH,

That your Memorialists are desirous of appealing to your Lordship in Council to relieve them from the serious losses to which they in common with the public, are exposed, when applying for the interest as it becomes due on their Company's Paper. Your Memorialists submit that not only in the spirit, but under the very terms of the different Loans to Government, they are clearly entitled to receive their interest from time to time as it accrues, without incurring the risk of loss or the inconvenience of delay: they also feel assured that it ~~always~~ has been and will be a matter of policy on the part of the Indian Government in respect to their Loans, to afford every possible security to the public creditor.

That according to the system which now prevails at the General Treasury, the holder of Company's Paper applying for his interest is obliged to deposit his paper in the Treasury, in order that a draft for the amount due may be prepared from it, but that no receipt or acknowledgment whatsoever is given to the holder by the officers of

the Treasury to whose custody it is delivered, and that in case of loss or accident, he is left without any evidence of having parted with its possession.

That the risk which your Memorialists thus incur is still further increased, by a want of all caution in returning the Company's Paper together with a draft for the interest, both of which are now delivered to any Sircar or person applying for them, merely in the name of the Proprietor, and without requiring from him the production of his authority. That your Petitioners are prepared to adduce instances, where, in consequence of the system, papers have been mislaid, and great inconvenience sustained, and that your Petitioners have been advised by their Counsel, that the Government also incur considerable risk, as that they would be answerable for the value of the Paper if the Proprietor could prove the delivery of it into the Treasury to one of their servants.

Your Memorialists respectfully submit that the errors existing in the present plan, and the dangers attending it are self-evident, and they are ready to adduce instances of the losses and inconveniences of which they have been productive ; but while your Memorialists are desirous of introducing a system affording security alike to the Government and Public Creditor, they are anxious that no additional duties should be imposed on the officers of the public Treasury, and they feel assured that measures may be adopted conducive to the former objects, and by which much labor may be saved, which is at present unnecessarily incurred.

That important as the subject is, your Memorialists feel it unbecoming in them to ask your Lordship in the present pressure of public business to devote any time to the consideration of the plans and details, which your Memorialists are prepared to submit, but they humbly believe that the matter is of sufficient consequence to justify them in respectfully suggesting to your Lordship, that great advantage might be gained, and much loss avoided, if the question were referred to the committee who have recently investigated the late frauds at the Treasury, or to any other Gentlemen your Lordship may be pleased to appoint.

That should your Lordship be pleased to comply with this humble suggestion, your Petitioners will depute some of their body to attend the Committee with their plans, and to furnish every assistance or information which they can offer or procure.

That your Memorialists humbly beg your Lordship's kind attention to this their respectful application.

HENRY BURKINYOUNG,

Master.

To H. BURKINYOUNG, Esq.

Master, Trade Association.

SIR,

In acknowledging the receipt of the Memorial of the Calcutta Trade Association, bringing to notice the inconvenience experienced by the community from a defective system in the interest department of the Accountant General's Office—I am directed to state that an enquiry will be made and every possible facility and security afforded in the matter represented. A further reply will be made to your Memorial after communicating with the Accountant General.

I am, Sir,

Your obedient servant,

G. A. BUSIBY,

Secy. to the Govt. of India,

Financial Department.

Council Chamber,
the 26th January, 1842. }

PROPOSITIONS FOR CONDUCTING THE PUBLIC DEBT.

FIRST.

In order to simplify and accelerate the business of the Loan Department.

1st.—Let all the present loans be converted into even sums of Company's Rupees, by the present holders paying up the difference.

2d.—Let the interest on one and the same loan be made payable at one and the same period, by the Government paying up the interest to an even date.

3d.—Let all receipts for interest on the back of the papers be abolished.

In order to a speedy payment of interest, let a Register of all loans be kept, arranged numerically, and in order that this may not be disarranged unnecessarily, let it be made a rule that paper shall not be consolidated or divided but during the period one month previous to the date the quarter or half year's interest falls due on any particular loan; at which time it is to be supposed the interest due down to the last payable period has been drawn.

The receipt (No. 1.) for interest to be lithographed on the back of the interest draft upon the Sub-Treasurer (No. 2,) and the party receiving the draft, to sign his name in the interest register (No. 3.) Let a note be inserted on the loan paper to the following effect :

“ Consolidatable in the months of ”

The receipts for interest on the back of the paper being abolished, it is presumed that a great reduction will take place in the quantity of paper requiring renewal.

All papers issued on account of the same loan are to bear on their heading the date of the loan, and in the body of the paper the date from which interest is payable on that particular amount; this date must however always be the even date of a quarter, or half year, according to the conditions of the loan.

If possible it would be advantageous that all sales of paper should be Registered in the Accountant General's Office, by which practice the necessity for endorsements on the back of the paper would be removed.

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No. 1.

Calcutta, the _____ 18

TO THE SUB-TREASURER,

Fort William,

SIR,

At sight pay _____
the sum of Company's Rupees _____
-being the-
_____(quarter's or half year's) Interest on No.-
_____-of the (4) 5 per Cent. loan of the-
_____-of _____

** Accountant General,*
Company's Rupees 0,000-0-0

Examined and entered
in Interest Register,

*Head Assistant,
Interest Department.*

No. 2.

Calcutta, the _____ 18

Received from the Sub-Treasurer the sum of Company's Rupees
_____ being the Interest on Nos. _____
_____-of the (4) 5 per Cent. loan of date the _____
_____-of _____ for the _____
_____-of _____ (quarter or half year) ending the _____

Company's Rupees 0,000-0-0

No. 3.

REGISTER OF 4 PER CENT. LOAN OPENED THE

Date of No.	Number of the Paper or ac- knowledgement of Contribution.	Name of the Contributer.	Amount con- tributed Co. & Rs.	Date of com- mencement of Interest.	Interest how payable.	Interest when payable.	Amount when payable.	INTEREST DRAFT.	Amount of Interest when.	When paid.	Proper Signa- ture of the per- son to whom Draft was given.
1842 Nov. 10th	1	John Money	10,000	Jan. 1st.	Quar- terly.	April 1 July 1 Oct. 1 Jan. 1	1 1 1 1	1.2& 3 Qr.	1 1 0 0	Oct.	1 J. Money

SECOND.

1st.—That a printed acknowledgment of the amount contributed as a loan to the Government be granted to the party paying in the Money to the Treasury.

That the party paying in Money as a loan to the Government, sign his name in a Register in which shall be inserted in figures and in writing the amount so paid in.

That the interest upon the amount be paid to the proprietor at an appointed period by a draft in his favor, payable either at the General Treasury or the Bank of Bengal, he signing his name in the interest Register.

This may be done in person or by Power of Attorney—Members of Houses of Agency may be Sworn Brokers for the purpose.

That any portion or the whole of such subscribed capital may be sold to another party—who at the time of sale shall transfer the amount to the credit of the purchaser by signing the transfer in the Register of Stock, the party to whom transferred likewise affixing his signature.

When transfer is made the original receipt must be produced, if the whole amount is transferred the receipt to the selling proprietor must be cancelled, if a portion only is sold a new receipt for the balance will be given or the original backed with the transfer.

the party to whom transferred, which certificate shall be obtained in printed form, from the Loan Department.

That if on the purchase of any particular stock the purchaser be desirous of having the interest thereon paid in any other part of the country than the Presidency, he shall in his own proper handwriting insert such request in the transfer Register, Notice of which request shall be given from the Loan Department to the Collector of the station where payment is to be made.

As the essential evidence of proprietary right rests in the signature in the transfer or Stock Register, and as the security, either to the Government or the Proprietor, is not effected by the paper given to him by the Loan Department; or the party transferring it: it is presumed that much greater security against forgery and fraud will be afforded, and that at the most the interest only could be

That the original receipt shall be of no value after transfer, the party transferring giving a certificate to

fraudulently obtained ; and that but for once or twice at the farthest.

THE FOLLOWING WOULD BE THE HEADS REQUIRED IN THE REGISTER.

Register of 4 per Cent. Loan of 1842.

This Register will be alphabetically arranged.	Date of contribution.
	Number.
	Amount contributed.
	Signature of contributer.
	No. of acknowledgment.
	By whom acknowledgment signed.
	When transferred.
	Amount transferred.
	Number of transfer Note.
	Rate of transfer.
	Signature of transferee.
	To what letter transferred.
	To what Number and letter balance carried.

THE FOLLOWING WOULD BE THE HEADINGS OF THE INTEREST REGISTER.

Interest account of 4 per Cent. Loan of 1842.

This Register will be alphabetically arranged.	Name of the holder.
	Amount of stock.
	Amount of interest.
	Date when interest paid.
	Signature of the holder for the interest.
	Signature of the Attorney of the Proprietor.

ORIGINAL RECEIPT.

4 per Cent. Loan of 1842.
Received this —— day of —— 1842 of 10000

Interest payable
May 1st, November 1st and usually paid a few days after.

Transfer days
Tuesdays, Wednesdays & Thursdays, Holidays excepted.

Mr. _____ the
sum of _____
_____ as a contribution to the
four per Cent. Loan of 1842 opened
under the authority of the Governor
General in Council as per proclamation
contained in the Government Gazette
of _____
and under the conditions therein stat-
ed witness my hand

Rs. As. P.

Witness _____.

TRANSFER.

4 per Cent. Loan of 1842.

Received this— day of — 18 of 10000

Mr. _____ the

697

Sum of _____

—

_____ being considera-
tion for ten thousand Company's
Rupees interest in the four per
Cent. Loan of 1842 opened by au-
thority of the Governor-General
in Council as per proclamation
contained in the Government Ga-
zette of date the _____

Proprietors can
either transfer by
themselves or by
their Attorney, but
in no other manner

_____ this day trans-
ferred to the said Mr. William
Soames—witness my hand,

JOHN PERKINS.

Witness—RICHARD MONEY,
Loan Department.

To R. J. LATTEY, Esq.,

Master, Trade Association.

Financial Department.

SIR,

With reference to the 2d paragraph of the letter from this Department, No. 76, dated the 26th January last, I am directed to inform you that the Hon'ble the President in Council having fully considered the suggestions of the Association for the more speedy despatch of business in the Loan Department, and the introduction of another system of management in the Interest Branch of the Accountant General's Office, and having also had submitted to him the sentiments expressed thereon by the Commercial Directors of the Bank of Bengal, and the Accountant General, concurs in their opinion of the impracticability of adopting the measures proposed by the Association.

I have the honor to be, Sir,

Your most obedient servant,

H. V. BAYLEY,

Depy. Secy. to the Govt. of India.

Council Chamber. }
the 4th May, 1842. }

To H. V. BAYLEY, Esq.,

Deputy Secretary to the Government of India.

SIR,

I have the honor to acknowledge the receipt of your letter of date the 4th instant, and in reply to request you will do me the favor to furnish for the use of the Association, copy of the opinions of the Accountant General, and the Commercial Directors of the Bank of Bengal, referred to in your communication under reply.

I have the honor to be, Sir,

Your most obedient servant,

R. J. LATTEY,

Master, Calcutta Trade Association.

Calcutta, Trades Room. }
the 1st May, 1842. }

To R. J. LATTEY, Esq.,

Master, Calcutta Trade Association.

Financial Department.

SIR,

In reply to your letter dated the—instant, soliciting copies of the opinions of the Accountant General and of the Commercial Directors of the Bank of Bengal referred to in my communication to you, dated the 4th of May, I am directed to inform you that the Honorable the President in Council regrets being obliged to decline a compliance with this application.

I am, Sir,

Your obedient servant,

II. V. BAYLEY,

Depy. Secy. to the Govt. of India.

Council Chamber,
the 25th May, 1842. }

U.

To THE HON'BLE SIR EDWARD RYAN, KNIGHT,

*Chief Justice of the Supreme Court of Judicature,
Fort William.*

*The Memorial of the Master, Wardens, and
Members of the Calcutta Trade Association.*

RESPECTFULLY SHEWETH,

That by ~~Act~~ XII. of 1836, the Sicca Rupee was declared not to be a ~~Legal~~ Tender after the 1st of January 1838, and that with reference to the new coinage of the Company's Rupee, the rates of charge in the Post Office, and Custom House, as well as every private establishment in Calcutta, previously made in the Sicca Rupee, have been regulated by the Company's Rupee, excluding the fractions arising out of the conversion, and that these charges are, in the majority of cases, numerically the same as when made in the Sicca Rupee—Your Memorialists would further beg to state that the produce of Bengal, and all articles of domestic consumption have, with few excep-

tions, found their level with the Company's Rupee, and that all Books of Accounts, whether of the extensive Merchant, or the more limited Tradesman, are kept in the Company's Rupee; consequently, that all charges, exactions, taxes, costs, or whatsoever other demand made, in what may now fairly be denominated a fictitious coin, tends to increased labor, and consequent increased expense:—Your Memorialists would also beg to bring to the notice of Your Lordship, that all the Revenue Collections of this Government are now made in the Company's Rupee, as also all sales and purchases whatever, likewise all payments, except so far as any written document or obligation makes it imperative that, until such obligation ceases, payment should be made in Sicca Rupees; then only is payment made in the Company's Rupee, at 15-16th of the former, to 16-16ths of the latter.

Your Memorialists impressed with the certain belief that your Lordship is ever ready to remedy existing evils, and to correct errors of practice which may have been unavoidably introduced, beg respectfully to draw your Lordship's attention to what they believe to be the only exception to the general rule, and to which your Memorialists are persuaded, your Lordship will, if practicable, apply a remedy:—Your Memorialists feel that they are touching on a delicate subject, and that they may thus expose themselves to the imputation of invidiousness, but, they are fully impressed with the belief that the question is one of a public nature, and based upon principles of consistency, and justice; upon which grounds only your Memorialists hope to be heard, and to meet with your Lordship's favorable consideration.

Your Memorialists do accordingly pray, that your Lordship will take into consideration the present state of Law charges, of whatsoever nature, and regulate them in accordance with the present standard currency of the country, and agreeably to the practice of the Supreme Government, and the public at large.

And your Memorialists shall ever pray,

G. F. REMFRY,

Master, Trade Association.

Trade's Hall.
28th March, 1840. }

To G. F. REMFRY, Esq.,

Master of the Calcutta Trade Association.

SIR,

I am directed by the Chief Justice to acknowledge the receipt of a Memorial of the Master, Wardens and Members of the Calcutta Trade Association, as to the present state of law charges, and am desired to inform you, that the Judges will take into their earliest consideration, the best mode of regulating the law charges of the Attorneys, in accordance with the present standard currency of the country.

The fees of the Officers of the Court have long since been reduced to the current standard.

I have the honor to be, Sir,

Your obedient servant,

E. B. RYAN,

Clerk to the Chief Justice.

Supreme Court,
1st April, 1840. }

V.

ACT NO. XXVII. OF 1841.

*An Act for appropriating the Unclaimed Dividends on
Insolvent Estates.*

I. Whereas pursuant to the Orders of the Courts for the Relief of Insolvent Debtors at the several Presidencies, divers sums on account of unclaimed Dividends on Insolvent Estates have, from time to time, been paid over by the Assignees of such Insolvent Estates, into the hands of the Accountant General and Sub-Treasurer, of the East India Company, at such several Presidencies with the privity of the Accountant General of the said Insolvent Courts, to the credit of the persons named in the Schedules as creditors of such Insolvents respectively;—and whereas it is expedient that in the event of no claim being established to such unclaimed Dividends or any part thereof, within a reasonable time, such Dividends should be distributed

among such of the creditors of such Insolvent Estates as shall have established their claims against such Estates respectively :—

It is therefore enacted, that it shall be lawful for the said Courts of Insolvent Debtors respectively, in the event of no claim being established to such Dividends or any part thereof, within six years after any Dividend shall have been so paid over, as aforesaid, to order the same to be repaid to such Assignees, to be by them distributed among such of the creditors of such Insolvent Estates as shall have established their claims against such Estates respectively and to order such claims to be expunged from such Schedules, Provided that this Act shall not affect the right of any party to be paid such Dividends out of any future Assets, which may come to the hands of the Assignees, together with any future Dividends which may be declared on such Insolvent Estates respectively in the event of any such claim being afterwards established.

II. And it is hereby enacted, that no such unclaimed Dividend shall, at any time, be distributed under this Act, unless a Statement of such unclaimed Dividends be previously published in manner following : one year at least before making any such division as aforesaid a Statement shall be published three times in the English language, and also in one or more native languages in the Official Gazettes of the respective Presidencies, which Statement shall contain the names and descriptions as contained in the Schedules of all parties in respect of whose claims Dividends are reserved, together with the amount of such claims respectively, and shall specify, whether any former Dividend or Dividends have been paid in respect thereof, and whether any proof shall have at any time been made of the debt whereby any Dividend may have accrued. Provided always that this Act shall not authorize the distribution of any such Dividend except where no person shall at any time, have substantiated any claim to the debt in respect of which such Dividend may have become due.

III. And it is hereby further enacted, that in case it shall appear that any Insolvent is indebted to any Domestic Servant for Wages, it shall be lawful for such Courts at or before the time of declaring

a Dividend, to order the amount due for such Wages, but not exceeding in the whole the amount of six months' Wages to be paid to such Servants out of the estate of such Insolvents.

IV. And be it enacted that this Act shall not take effect until the first day of January, 1843.

W.

ANALYSIS OF THE STATUTES OF LIMITATION.

The object and effect of the statutes of Limitation are of the first consequence to every trading community, but in this country, and especially to the Members of the Trade Association they are of paramount importance. Many of the debtors of the Association reside at great distances from Calcutta, and rarely come to it even for temporary periods. The communications with them by Post are troublesome and dilatory, and excuses may easily be framed for the irregularity, or even total absence of answers. The consequence of these difficulties is, that the Debtor not being pressed by his Creditor, the time elapses which is limited by Law for bringing actions, and the Creditor discovers too late that his remedy is lost. In cases between an honest debtor and his Creditor, no advantage would be taken, but if the debtor be not honest, or if he die, and his Representative (especially the public Administrator,) have to protect the estate for the benefit of an impoverished family, or if the Creditor makes over his debts, or leaves the country, then his affairs falling into the hands of a representative, it will rarely happen that the defence will not be resorted to, which the Statutes of Limitation afford; I therefore repeat, that a full knowledge of that branch of the Law is essentially necessary to every Member of this Association.

By the Common Law any party could recover who was able to prove his claim, and that without reference to the period at which it arose. This opened the door to the greatest frauds. Forgeries and perjuries were committed with impunity, for the honest victims of a well arranged plan were, through the lapse of time, deprived of

the means of defence. To remedy this evil, the 21st of James the 1st, chapter 16, was passed, commonly known by the name of the Statute of Limitations, and a similar Act of Parliament was passed for Ireland in the 10th of Charles the 2d.

It is unnecessary that I should detain the Association by an analysis of these Acts. It will be sufficient for their purposes to state, that a Creditor on simple contract could not recover his debt if due for six years, unless he could prove within that time an *acknowledgment* that it was due, which acknowledgment might be written or verbal. The Limitation for debt on Bond was 20 years.

Experience has shewn that the admission of *verbal* acknowledgments did not cure the evil, and in this country, when Natives were Plaintiffs and British subjects, (who come under the statute,) were defendants, I can say it was nearly nugatory. To remedy this defect, an Act of Parliament was passed on the 9th of May 1828, (9 George the 4th, Chapter 14,) and on the 29th of June 1840, an Act of the Supreme Government was passed (Act No. 14,) introducing the English statute into India.

By this Act, an alteration is made in the nature of the *evidence*, which under the old statute would have been sufficient proof of the subsequent promise to pay the debt, and without proof of which promise, no payment after the lapse of six years could have been enforced. Under the old Act, proof of a verbal acknowledgment of the debt or promise to pay was sufficient, but by the 1st Section of the present Act, it is declared, that proof of a *verbal* acknowledgment or promise shall not be deemed sufficient evidence of a new or continuing contract, but that acknowledgment or promise must be made in *writing*, and signed by the party chargeable thereby.

But here I have to observe, that if there has been a written acknowledgment of the debt or promise to pay, and this writing has been lost, then secondary evidence of its contents may be given, either by proving a copy, or by the oral evidence of a Witness who can swear positively to its purport. (*Hayden v. Williams*, 7 Bingham 163,) in such a case it will be seen, that the new Act has been complied with, the promise having been made in *writing*, but the proof

of this writing stands as it did before, and if the paper be shewn to be lost, secondary evidence of its having existed, may be adduced.

It has also been held, that a part payment of the debt within six years, dispenses with the necessity of a written promise, (Tippets *v.* Heane, 1 Crompton Meeson and Roscoe 252 and 4 Tyr 772,) but then it must appear, that the payment was made on account of the debt for which the action was brought, and it must also have been made in part payment of a larger amount, and the mere fact of a payment, although no other account subsisted between the parties, will not be construed as a sufficient admission to take the case out of the new Act. Proof of a verbal acknowledgment of having paid part of a debt, is not sufficient, the payment itself must be proved, but a written acknowledgment of a part payment would be good, (Willis *v.* Newham, 3 Young and Jarvis 518.)

A payment within six years of interest on a Note, was held sufficient to take the case out of the new Act, the Note remaining in the hands of the Plaintiff to whom it was payable. (Bealey *v.* Greenslade, 2 Crompton and Jarvis 61.) Where the promise was by letter to pay the *balance*, but no sum was stated, held that it was sufficient to take the case out of the Act, but the amount not being stated, the Plaintiff could only recover nominal damages. (Dickenson *v.* Hatfield, 5 Carrington and Payne 46.) Where goods were sold at six months' credit, and payment was then to be made by a Bill of three months, it was held that the statute did not begin to run until the credit was expired, that is, the Plaintiff would not be barred by the statute, until six years and nine months from the sale of goods. (Helps *v.* Winterbottom, 2 Barnwell and Adolphus 431.) A delivery of goods in part payment, is equivalent to an actual part payment, and will take the case out of the statute. (Hart *v.* Nash, 2 Crompton Meeson and Roscoe 337.)

Where the Plaintiff's claim arose for hay sold, and after six years had elapsed, on demanding payment the defendant said to him, "you use spirits, why not have them from me as long as I owe you money for hay," and the Plaintiff assented, and the Defendant accordingly sent him a gallon. This was held a sufficient part payment to take

the case out of the statute. (*Hooper v. Stephens*, 7 Carrington and Payne 260.)

An acknowledgment in writing by an Agent is not sufficient to take the case out of the Act, which requires it to be made by the debtor himself. (*Hyde v. Johnson*, 2 R. N. Bingham 776, 3 Scott 289.) And where the statute began to run in the life time of a debtor, and he dying, and his will being contested, there was no Executor or Representative against whom an action could be brought, yet it was held not to suspend the operation of the statute, and the six years having expired before there was any representative to sue, the Creditor's right of action was barred. (*Rhodes v. Smethurst*, 4 Meeson and Welsby 42.)

By the first section of the Act it is also declared, that where two persons are jointly liable for a debt as partners, or joint makers of a promissory note, and one of them only has given a written acknowledgement or promise in writing, the creditor can only recover against *that* one, and will be entitled to his costs against him, but the other debtor, who did not join in the written promise, will have a verdict in his favor, and also his costs to be paid by the Plaintiff.

But this applies only to a written acknowledgement or promise, for if interest on the debt has been paid within six years by one of the makers of a joint and several promissory note, the other maker of the note still continues liable, and the Act will not relieve him. (*Chippendale v Thurston*, 4 Carrington and Payne 98.) But if one of the makers of a joint promissory note dies, and his Executor should pay the interest, such a payment will not be binding on the surviving maker, for the contract was severed by the death of the other maker. (*Slater v. Lawson*, 1 Barnwell and Adolphus 396.) A payment of a part of the principal by a partner, or one of the joint makers of a note, will equally bind the other, and take the case out of the Act, although the payment by the Executor of a deceased partner, or maker of a note, does not deprive the survivor of the benefit of the Act. (*Wyat v. Hudson*, 8 Bingham 309.)

The second section of the Act declares that no indorsement or memorandum of any payment upon any promissory Note, Bill, &c.

&c. by or on behalf of the party to whom such payment is made, shall be sufficient to take the case out of the Act. It must be made or signed by the party to the Bill *making* the payment.

The third section declares that the Act is to apply to all debts which a Defendant may wish to set off against any demand upon him, that is, its provisions are equally applicable to a debt pleaded as a set off to another debt, as they would be to a debt sought to be recovered.

The fourth section enacts that a promise made by a party after he comes of age to pay a debt, contracted during Infancy, must be in writing.

The fifth is a most important section; it enacts that no action shall be maintained by reason of any representation or assurance as to the conduct, character, or ability of any other person, whereby such other person may obtain credit, money or goods, unless such representation or assurance be made in writing signed by the party making it.

The sixth section is an extension of the Act of Frauds and perjuries, (29 Car. 2 and 3) by that it is declared, that no contract for the sale, &c. of goods exceeding the value of ten pounds shall be binding, unless—

1st. That there shall be an actual delivery of a part of the goods.

2nd. *Or else* an earnest shall be given to bind the bargain.

3rd. *Or else* that a memorandum in writing be made of the contract signed by the party to be charged.—Any *one* of these three is sufficient.

These provisions are now by the new Act extended to all contracts above ten pounds, although the goods are to be delivered at a future time, or that some Act may be necessary for the making or completing thereof or rendering the same fit for delivery.

The seventh section declares that no stamp is necessary for any of the written promises, memorandums, or agreements, required by the recent Act of this Government.

The chief object of this Act may be briefly stated to be to *make the evidence more certain* of any renewal or acknowledgment of the contract through a subsequent promise to pay, by rejecting a verbal,

and requiring a written promise; excepting in cases, where some Act of the party, (such as paying interest or principal,) is equally conclusive of his intention.

The above is I believe a correct Analysis of the new Act, and the decisions I have cited will tend to explain its application in practice.

LONGUEVILLE CLARKE.

X.

To THE HON'BLE SIR EDWARD RYAN, Kt.,
Chief Justice of the Supreme Court of Judicature, Fort William.

*The Memorial of the Members of the
 Calcutta Trade Association.*

RESPECTFULLY SHEWETH,

That your Memorialists are impressed with the belief that the sale of property seized under a writ of your Hon'ble Court, as at present practised, is attended with serious loss both to Debtor and Creditor, and that by an alteration in the system of conducting and advertising such sales, a closer approximation to the real value of the property brought to sale would be obtained, and thereby benefit and protect both Debtor and Creditor.

Under this impression your Memorialists respectfully beg leave to point out that which to them appears objectionable in the present practice, and to suggest for your Lordship's consideration and approval, such modifications as they believe will induce to the end in view.

Your Memorialists observe that sales of sequestrated property are only once advertised in one paper, viz. the Calcutta Gazette, a paper of very limited public attention and circulation; and your Memorialists are of opinion that such a mode of advertising does not give sufficient publicity.

Your Memorialists further observe that they believe, that the place appointed for the sale of such property, viz. the lower Verrandah of the Supreme Court, is detrimental and unfavorable to the seller; the situation of the Court being distant from the general marts and resort of the public, and only frequented by persons whose business is immediately connected with the Court.

Your Memorialists further beg to observe, that they believe the sale of property as at present conducted by a non-professional auctioneer, operates unfavorably for the party whose property is under sequestration.

Your Memorialists having stated that which to them appears to operate to the serious loss of the seller, beg most respectfully to suggest that in future all property seized under a writ of your Hon'ble Court, shall be for a sufficient time, according to the distance such property may be from Calcutta, advertized in all of the leading papers and advertizers of the presidency, on alternate days, as is generally practised in the sale of property, and further that such sales be conducted by a professional auctioneer at a public Auction Establishment.

Your Memorialists in furtherance of the foregoing, also suggest that the additional expense which the adoption of the method proposed may entail, be defrayed out of the proceeds of sales.

Your Memorialists in confirmation of the advantages that are derived from the employment of professional persons in conducting public sales, beg to bring to your Lordship's notice the fact that a saving of about 20,000 Rupees per Annum to Government has been effected at the Calcutta Mint, in the disposal of unserviceable copper, by the employment of a professional auctioneer, instead of, as was formerly the practice, by the Assistants on the Establishment.

Your Memorialists therefore respectfully solicit that your Lordship will be pleased to take into your consideration the suggestions herein offered, and to authorize such a modification of the present practice as shall give full protection to parties whose property lies under seizure of your Hon'ble Court.

H. BURKINYOUNG,
Master, Calcutta Trade Association.

Calcutta,
Dec. 23, 1841. }

To G A BUSHBY, Esq.,

Secretary to the Government of Bengal, General Department.

SIR,

I have the honor to forward the accompanying copy of a Memo-

rial addressed by the Trade Association to the late Chief Justice, Sir Edward Ryan, on the subject of Sheriff's Sales; also copies of subsequent Correspondence with Mr. Sheriff Sinoult, and a letter from the Honorable Sir Lawrence Peel, suggesting that the papers be submitted for the consideration of the Legislative Council, in accordance with which I have to request you will do me the favor to lay the whole before the Right Honorable the Governor General in Council, with a recommendation, that the same be submitted for the consideration of the Legislative Council.

I have the honor to be,

Sir, your obedient servant,

R. J. LATTEY,

Master, Calcutta Trade Association.

*Calcutta, Trades Room, }
the 23d November, 1842. }*

FROM OFFICIATING SECRETARY TO THE GOVERNMENT
OF INDIA, TO R. J. LATTEY, ESQ.

Master, Calcutta Trade Association.

LEGISLATIVE DEPARTMENT.

Sir,

I am directed to acknowledge the receipt of your letter, dated the 23rd November last, to the address of Mr. Secretary Bushby, submitting a Memorial, addressed to the Chief Judge of Her Majesty's Supreme Court, by the Trade, on the subject of conducting Sheriff's Sales.

2. The president in Council has given a careful consideration to your representation, and has instituted such enquiries regarding it as seemed to be necessary to a thorough understanding of the case. The result I am now desired to inform you is, His Honor in Council is not satisfied that any compulsory law on the subject would be at-

tended with such unmixed and important advantage as to justify legislation.

I have the honor to be, Sir,

Your most obedient servant,

FRED. JAS. HALLIDAY,

Officiating Secretary to the Government of India.

Council Chamber,
13th January, 1843. }

Y.

To H. BURKINYOUNG, Esq.,

Master of the Calcutta Trade Association.

SIR,

I have the honor, by direction of the Calcutta Police Committee, to transmit to you the annexed extract of a letter, No. 13, of the 20th ultimo, from the Secretary to Government in the Judicial Department, and to state to you, that the Committee would be glad to be favored with such suggestions as may occur to yourself, or to any of the members of the Association, as tending to further the object the Government has in view in instituting the present enquiry.

I have the honor to be, Sir,

Your most obedient servant,

J. FORSYTH,

Secretary to the Committee.

Calcutta, Town Hall,
5th February, 1845. }

(EXTRACT.)

From the Secretary to the Government of Bengal.

To J. H. PATTON, Esqr.

R. WALKER, "

R. H. MYTON, "

J. FORSYTH, "

To W. RITCHIE, Esqr.

A. ROGERS, "

and

BABOO RAMGOPAUL GHOSE,

GENTLEMEN,

"I am directed to inform you, that the Right Honorable the

Governor of Bengal has been pleased to appoint you a Committee for the purpose of enquiring into, and reporting on the state of the Calcutta Police, in all its branches, and suggesting such alterations and improvements as you may judge proper."

A true Extract,

J. FORSYTH,

Secretary to the Committee.

To J. FORSYTH, Esq.

Secretary to the Police Committee.

SIR,

Your letter of date the 5th instant to the address of the Master of the Trade Association, was laid before a General Meeting of that body, convened for the purpose of taking it into consideration, and I am requested to solicit, as a preliminary measure, that you will furnish the Trade Association with the following particulars.

The present numerical force of the Police, viz.

European Constables,	}	with the pay per mensem of each officer.
Thanadars,		
Naib Thanadars,		
Chowkedars,		

The number of Thanas and their situation.

The disposition of the Police force.

I am, Sir,

Your obedient servant,

JOHN MULLER,

Secretary, Trade Association.

To J. FORSYTH, Esq.,

SIR,

Your two letters of the 5th and 22d of February, 1846, having been circulated to the Members of the Calcutta Trade Association,

as also laid before two General Meetings of that body, convened for the special purpose of taking the subject therein referred to into consideration, I have now the honor to forward, by direction of the Master of the Association, (Mr. R. C. LePage,) copy of the Resolution which has been passed, as also copies of the several Minutes of the Members.

I have the honor to be, Sir,

Your most obedient servant,

JOHN MULLER,

Secretary, C. T. A.

*Trade Rooms,
Free Mason's Hall,
5th April, 1845.*

Extract from the Proceedings of General Meetings of the Trade Association, of the 13th and 29th March, 1845.

Resolved that the following suggestions be submitted to the Police Committee for its consideration.

1st. That there be a Magistrate for each Division of the Town, and that his office be held in a centrical part of the Division.

2nd. That there be a general central Court of Magistrates, where all the Division Magistrates shall sit once a week to decide cases which may be appealed to this Court.

3rd. That there be a large infusion of respectable Europeans or East Indian Superintendents, and that, in order to render these Officers as free from improper control as possible, they should be free from pecuniary obligations.

4th. That the necessary qualifications for the office of Superintendent be a colloquial knowledge of two of the native languages.

5th. That the Superintendents shall be authorized to take immediate cognizance of cases occurring within their division, whether in the night or day, take depositions, and, when necessary, refer the case to the Division Magistrate or dismiss it, but not to be allowed to inflict fine or punishment of any description.

6th. That the construction of each Thana be such as to admit of a Superintendent residing on the premises.

7th. That there be a considerable infusion of up-country men of military cast, as Thanadars, Naibs and Chowkedars.

8th. That a standard of qualification, both as to character and physical power, be fixed for Chowkedars.

9th. That the Chowkedars be provided with the following articles.

1st. A uniform dress, say the rifle jacket and the old Seepoy Vandyke shirts, with a cap and brass plate.

2nd. A short staff.

3rd. A dark lanthorn, to be secured by a belt round the waist.

4th. A metal rattle.

10th. That the pay of a Chowkedar be not less than 6 Rupees per month, and the native officers of the Police be proportionably increased.

11th. That there be one or more horse patrols for each station ; more particularly the distant stations, for the purpose of conveying speedy intelligence.

12th. That there be a continued change in the beats of the Chowkedars.

13th. That there be River Police stations, and a regular organized River Police.

14th. That the regular construction of native huts into streets and throughfares, be enforced by law.

15th. That the celebration of native festivals in the Town be prohibited, and confined to the outside of the town ; more especially those of the Dewallee and Mohurrum.

16th. That the Magistrates be also a board of commissioners of scales, weights and measures ; and that no weights scales or measures, but such as have been stamped at the commissioners' office, shall be allowed to be used ; and that parties having in their possession false scales, weights or measures, be heavily fined or otherwise punished.

17th. That the Superintendents of Bazars be placed under the Police, and that they may be authorized to seize and confiscate all bad or unwholesome meat, fish and other eatables brought to the bazar.

18th. That foot paths be divided off from all the principal roads by posts of cast iron and chains, at convenient distances.

19th. That it be part of the duty of the day Chowkedars to make all hackery drivers proceed on the proper side of the road, and not to obstruct the passage, as they are now in the habit of doing, by spreading themselves from one side to the other.

Z.

To J. H. PATTON, Esq.,

Chief Magistrate.

SIR,

I have the honor, by directions of the Committee of the Trade Association, to request you will do them the favor to state, for their information, whether fees are demandable upon compulsory, as well as upon voluntary affidavits, made at the Police.

Should such not be the case, the Committee will feel particularly obliged by your favoring them with a definition of what may be considered at the Police as voluntary, and what compulsory affidavits.

I am, Sir,

Your most obedient servant,

JOHN MULLER.

Secretary, Calcutta Trade Association.

Calcutta, Trade Rooms,
No. 1, Raneemuddy Gully,
the 7th February, 1843.

To J. MULLER, Esq.,

Secretary to the Calcutta Trade Association.

SIR,

I beg to acknowledge the receipt of your letter of the 7th ultimo, and to state for the information of the Members of the Trade Association, that no fees are demandable upon compulsory affidavits made at the Police Office, although a charge of 2 Rupees is made on each voluntary affidavit.

2nd. Referring to the 2d clause of your letter, I beg to observe

that voluntary affidavits are those made spontaneously by parties in matters relating directly, or indirectly, to their individual advantage, or the advantage of those connected with them ; while all affidavits enjoined by a court of law are compulsory ; in other words, the one is the medium of promoting private interests, optional with the parties concerned, the other, of furthering the ends of justice and the common good, compulsory on those cognizant of the means of doing so.

I am, Sir,

Your obedient servant,

J. H. PATTON,

Chief Magistrate.

Calcutta, Police Office,, }
6th March, 1843.

AA.

To THE HONORABLE SIR H. MADDOCK,

President in Council, &c. &c. &c.

*The Memorial of the Master, Wardens
and Members of the Calcutta Trade
Association.*

RESPECTFULLY SHEWETH,

That the said Association comprises in its body most of the English firms in Calcutta, who have extensive employment for native artificers, workmen, labourers and servants ; and that the want of a clear, unequivocal and well understood law for the enforcement of the duties of such persons to their masters and employers has long been felt as a very serious evil ; and a diversity of constructions prevailing among the Magistrates of Calcutta, as to the meaning and operation of the existing law, has greatly aggravated the said evil, and makes it highly desirable that such law should be amended.

That mere civil remedies by action for compensation or damages are useless in relation to persons in the condition of artificers, workmen, labourers and servants : and that your Memorialists believe that the Rule Ordinance and Regulation of 19th October 1816, was

consequently intended, by analogy to English Statute Law, to supply the place of such remedies, and enforce the rights of masters and employers, but the same has partially failed from the causes aforesaid.

That in the mechanical arts and trades, and in some others, it is the practice in Calcutta for contracts for work and service, both by the piece and by the time, to be made by a head mistree, who undertakes for himself and a number of other workmen; and that probably ever since the establishment of Europeans in Calcutta, it has been the practice in such cases, to make to such mistrees an advance of money to meet the wages of his under workmen.

That your Memorialists conjecture that the practice of making such advances originated in want of confidence of Native workmen in European employers, that it has been continued to the present time, and such is the force of custom and habit over the Native mind that your Memorialists find it impossible to discontinue it.

That the said Native workmen, taking advantage of a custom originating which themselves and almost unknown in Europe, commit great frauds on their employers—your Memorialists.

That your Memorialists have embodied their views of the remedies which they need, and to which they deem themselves entitled, in a draft of an act, as a more convenient form of explaining their views, and respectfully beg your Honor's consideration of the same and recommendation thereof to the Legislative Council.

R. C. LEPAGE,

Master.

II. BURKINYOUNG,

Past Master.

*Calcutta, Trade Rooms, }
the 31st January, 1846. }*

ACT OF 184 .

An Act to consolidate and amend the Law relating to contracts between the Masters and Artificers and others. *

I, Whereas, by several Rules, Ordinances and Regulations for the good order and Civil Government of the settlement of Fort

William in Bengal, provision is made for the enforcement of the contracts and obligations of servants and workmen in certain cases, and for the punishment of breaches thereof, and it is expedient to consolidate and amend the same.

Clause 2nd of rules passed 26th July, registered 11th November 1814, repealed.

Clause 2nd of Rule passed 23rd March, registered 13th April 1816, repealed.

Rule passed 19th Oct. registered 12th Nov. 1816, repealed.

Artificers, &c. receiving from Master, &c. in Calcutta, any advance on account of work, &c.

and making default to perform the work, or got the same performed

J. P. for Calcutta, or Magistrate of Zillah in which Artificers, &c. shall be

may, on complaint, issue summon for warrant, &c.

It is therefore enacted that so much of the Rule, Ordinance and Regulation passed in Council on the 26th July, and registered on the 11th November 1814, as is contained in the second clause thereof ; and so much of the Rule, Ordinance and Regulation passed in Council on the 23rd March, and registered on the 13th April 1816, as is contained in 2nd clause therof ; and Rule, Ordinance and Regulation passed in Council on the 19th October, and registered on the 12th November 1816, shall be and the same are hereby repealed.

II.—And it is hereby further enacted, that when any artificer, workman, labourer or servant, shall have received from any master or employer, resident or carrying on business in the Town of Calcutta, any advance of money, on account of work or service, which he shall have contracted to perform or to get performed by any other artificers, workmen, labourers or servants, shall have made default to perform, or get the same performed according to the terms of his contract or duty in that behalf, it shall be lawful for any one Justice of the Peace, acting in and for the said Town of Calcutta, or for any Magistrate of any zillah, district or place wherein such artificer, workman, labourer or servant shall for the time being be or reside, upon complaint by or on behalf of the master or employer, who shall have made such advance, to issue his summons or a warrant for bringing before him, or any other such Justice

and on proof that such artificer &c. has without good cause, made default to perform or get performed such work, &c.

such J. P. or Magistrate shall, at the option of the Master &c. order such artificer &c. to perform or get performed such work, &c.

or to repay to such Master, &c. the money advanced, or such part of it, as may seem just &c.

and to commit such artificer, &c. for not less than one month nor more than twelve months with hard labour unless he shall sooner repay the money;

nevertheless such order not to deprive the Master of any civil remedy.

When any J. P., &c. shall order any artificer to perform or get performed any work, &c.

such J. P., &c. shall require such artificer, &c. to enter into a recognizance, with one or more sureties, in not less than treble the amount of the money advanced,

or Magistrate, such artificer, workman, labourer or servant as shall have received such advance as aforesaid, and in case it shall be proved to the satisfaction of such Justice or Magistrate that such artificer, workman, labourer or servant has, without good and sufficient cause, made default to perform or get performed such work or service, such Justice or Magistrate may and is hereby required, at the option of the said master or employer, to order such artificer, workman, labourer or servant to repay to such master or employer the money advanced or such part thereof as to such Justice or Magistrate may seem just and proper, and to commit such artificer, workman, labourer or servant to the common gaol or House of Correction there to be kept to hard labour for any period not less than one month or exceeding twelve months unless he shall sooner repay to the said master or employer the money ordered; provided nevertheless that no such order for the repayment of any money advanced shall, while the same shall remain unsatisfied, deprive the said master or employer of any civil remedy by action or otherwise which he might have had but for this Act.

III. And it is hereby further enacted that when any Justice or Magistrate shall order any artificer, workman, labourer or servant to perform or get performed any work or service according to the tenor and effect of his contract or duty in that behalf, such Justice or Magistrate shall require such artificer, workman, labourer or servant to enter into a recognizance, in the form herewith annexed, with one or more good and sufficient sureties in such sum as to

for due performance of the order, and in case such artificer &c. shall neglect &c. to execute such recognizance or to find sureties,

such J. P. &c. shall commit such artificer &c. to gaol to hard labour, for not less than six months nor more than twelve, unless he shall sooner enter into such recognizance, &c.

If any artificer, &c. shall receive from any other artificer, &c. or from any other sirdar or head man, money as his share of an advance,

or on account of his wages before the same have been earned and shall not perform the work, &c.

such J. P. may, upon complaint either of Master, &c. or the artificer, &c. or sirdar, &c. issue summons or warrant,

and on proof that first

such Justice or Magistrate may seem proper, not being less than treble the amount of the money originally advanced for the due performance of the said order, and in case such artificer, workman, labourer or servant shall neglect or refuse to execute such recognizance, or to find sureties to the satisfaction of such Justice or Magistrate, such Justice or Magistrate may and is hereby required to commit such artificer, workman, labourer or servant to the common gaol or House of Correction, there to be kept to hard labour for any period not less than six months, nor exceeding twelve months, unless he shall sooner enter into such recognizance and find such sureties.

IV.—And it is hereby further enacted that if any artificer, workman, labourer or servant shall have received from any other artificer, workman, labourer or servant or from any sirdar or head man any sum of money as his share of, or on account of any such advance as is in the second clause of this Act mentioned, or as his share or on account of his wages before the same has been earned, shall not perform the work or services by him engaged to be performed or which by the usage of his trade, employment or caste or otherwise it is his duty to perform, it shall be lawful for any one such Justice or Magistrate as aforesaid, upon complaint either of the master or employer who shall have made the original advance, or of the artificer, workman, labourer or servant or sirdar or head man to whom it shall have been made, to issue his summons or warrant for bringing before him or any other such Justice or Magistrate the party complained against, and in case it shall be proved,

mentioned artificer, &c. has without good cause made default to perform his part of the work,

such J. P. shall, at the option of the complainant, order artificer, &c. to perform such work, &c.

or order him to repay the money by him received, &c.

and to commit such artificer, &c.

for not less than one month nor more than twelve months.

to the satisfaction of such Justice or Magistrate that such first mentioned artificer, workman, labourer or servant has, without good and sufficient cause, made default to perform his part of the work or service or duty in respect of which he shall have been paid as aforesaid, such Justice or Magistrate may and is hereby required at the option of the party complaining, to order such artificer, workman, labourer or servant to perform such work or service according to his contract or duty in that behalf, or to order such artificer, workman, labourer or servant to repay the said money by him received as aforesaid or such part thereof as to such Justice or Magistrate may seem just, and to commit such artificer, workman, labourer or servant to the common gaol or House of Correction there to be kept to hard labour for any period not less than one month nor exceeding twelve months, unless he shall sooner repay the money ordered; provided nevertheless that no such order for the repayment of any money shall, while the same shall remain unsatisfied deprive any party of any civil remedy, by action or otherwise, which he might have had but for this Act.

When J. P., &c. shall order artificer, &c. to perform work, &c. he shall require artificer &c. to enter into recognizance with one or more sureties in such amount as J. P., &c. may deem proper,

V.—And it is hereby further enacted that when any Justice or Magistrate shall order any such artificer, workman, labourer or servant as is in the last Section of the Act mentioned, to perform any work or service, such Justice or Magistrate shall require such artificer workman, labourer or servant to enter into the like recognizance as aforesaid, with one or more good and sufficient sureties, in such amount as to such Justice or Magistrate may seem proper, for the due performance of the said order, and in case

and if such artifcer, &c. shall neglect to execute same or to find sureties, such J. P., &c. shall commit such artifcer, &c. to gaol to hard labour for not less than six months nor more than twelve months unless he shall sooner enter into recognizance.

such artifcer, workman, labourer or servant shall neglect or refuse to execute such recognizance or to find sureties to the satisfaction of such Justice or Magistrate, such Justice or Magistrate may, and is hereby required to commit such artifcer, workman, labourer or servant to the common gaol or House of Correction, there to be kept to hard labour for any period not less than six months nor exceeding twelve months ; unless he shall sooner enter into such recognizance and such sureties.

In cases in which J. P., &c. may take recognizance he may, besides requiring such recognizance or instead thereof, put or authorize the Master, &c. to put such artifcer, &c.

VI.—And it is hereby further enacted that in the several cases aforesaid in which any Justice or Magistrate is empowered to take such recognizance as aforesaid, it shall be lawful for such Justice or Magistrate, besides requiring such recognizance, to put, or to authorize the master or employer, to put, any such artifcer, workman, labourer or servant under such restraint, control or superintendence as to such Justice or Magistrate may seem conducive or necessary to secure obedience to his order.

If any Master, &c. shall have contracted for or be entitled to work, &c.

VII.—And it is hereby further enacted that if any such master or employer as aforesaid shall have contracted for or by the course or custom of trade shall be entitled to any work or services to be performed by any artifcer, workman, labourer or servant, and shall have advanced any money on account of such work or service, and any other master or employer carrying on trade or business in the said town of Calcutta, or his head man, servant or agent, shall entice or take into his service, or shall employ such artifcer, workman, labourer or servant in such manner, and so as that such artifcer, workman, labourer or servant shall there-

and shall have advanced money on account of such work, &c. and any other master, &c. in Calcutta, or his head man, servant, &c. shall entice or take into his service, or employ such artifcer, &c. so that such artifcer shall be unable to perform his work, &c.

for his original master;

any Justice of Calcutta, or Magistrate of Zillah &c. in which such other master or employer shall reside may issue summons or warrant for appearance of such other master, &c.

and on proof that an advance had been made,

and that by reason either solely or partially of the second employment the artificer, &c. became unable to perform his work, &c. for the original master such J. &c. shall without calling for proof that the second master &c. had notice or knowledge of the advance, order the other Master &c. to pay the amount of the advance to the original master and to make warrant to levy.

If any artificer &c. shall without excuse and contrary to his duty, leave unfinished any work or absent himself or desert his employment &c.

by be unable to perform such work or service or his duty to or for the original master or employer, it shall be lawful for any Justice of the said town of Calcutta, or for the Magistrate of any Zillah, district or place wherein such other master or employer shall be or reside, upon complaint by or on behalf of the said original master or employer, to issue his summons, and in default of due appearance thereto his warrant, for bringing before him, or before any other such Justice or Magistrate, such other master or employer, and in case it shall be proved to the satisfaction of such Justice or Magistrate, that the alleged advance had been made by such first mentioned or original master or employer, and that, by reason, either solely or partially, of the second employment the artificer, workman, labourer or servant became or was unable to perform his work or service or duty to or for the said first mentioned or original master or employer, it shall be lawful for such Justice or Magistrate, and he is hereby required, without calling for proof that the second master or employer had notice or knowledge of the said advance, to order such other master or employer to pay to such first mentioned or original master or employer, the amount of the said advance, and to make out his warrant for levying the same on the goods and chattels of the party, unless the same be paid at the time of making the order.

VIII.—And it is hereby further enacted that if any artificer, workman, labourer or servant shall without good and lawful excuse, and contrary to his duty in that behalf, leave unfinished any work which he shall have begun, or shall

and his master &c. reside &c. in Calcutta,

any J. &c. may issue summons or warrant

to bring before him &c. such artificer &c.

and on proof that such artificer &c.

has, without good excuse and contrary to his contract or duty, absented himself &c.

or left such work unfinished, such J. shall, at option of master &c. order artificer &c. to return to his work &c. or to commit such artificer &c. to gaol &c. to hard labour,

nevertheless such committal shall not discharge such artificer &c. from his obligation, but he shall be liable to perform the same after discharge of such artificer.

nevertheless such committal shall not discharge such artificer, &c. from his obligation, but he shall be liable to perform the same after discharge, but J. may discharge such artificer.

absent himself from or desert his employment, work, duty or service, and his master or employer shall reside or carry on business in the town of Calcutta, it shall be lawful for any such Justice or Magistrate, as aforesaid, upon complaint by or on behalf of the said master or employer, to issue his summons or warrant for bringing before him or any other such Justice or Magistrate, such artificer, workman, labourer or servant, and in case it shall be proved, to the satisfaction of such Justice or Magistrate, that such artificer, workman, labourer or servant, has, without good or lawful excuse, and contrary to his contract or duty in that behalf absented himself from or deserted such employment, work, duty or service, or left such work unfinished it shall be lawful for such Justice or Magistrate, and he is hereby required, at the option of the said master or employer, to order such artificer, workman, labourer or servant to return to his said employment, work, duty or service, or to finish the same or to commit such artificer, workman, labourer or servant to the common gaol or House of Correction, there to be kept to hard labour, for any period, not less than six months nor exceeding twelve months. Provided nevertheless that such committal shall not be construed to discharge such artificer, workman, labourer or servant from his obligation or duty, but he shall be liable to perform the same upon his discharge from prison. Provided nevertheless that such Justice or Magistrate may, in case he shall see fit, discharge such artificer, workman, labourer or servant, with or without conditions, from any further obligation or duty to such master or employer.

When Justice &c. shall order artificer &c. to return to his work &c.

such Justice &c. may require recognizance,

and artificer shall be subject to be imprisoned &c. on default.

IX.—And it is further enacted that when any Justice or Magistrate shall order any artificer, workman, labourer or servant to return to his employment, work, duty or service, or to finish his said work, such Justice or Magistrate may, if he see fit, require such recognizance with sureties, as is in the III. Section of this Act mentioned to be entered into with necessary variation only to adapt it to the nature of the case, and such artificer, workman, labourer or servant shall be subject to the like consequences in relation to any default in respect thereof as are in this Act provided by the said III. Section and such Justice or Magistrate may also put, or authorize the master or employer to put, such artificer, workman, labourer or servant under such restraint, control or superintendence, as to such Justice or Magistrate may seem conducive or necessary to secure obedience to his order.

And if any artificer, &c. wilfully, or maliciously or by gross negligence spoil or injure work, &c.

or if he shall fraudulently purloin, embezzle, secrete, sell, pawn, change, withhold or detain any materials &c. delivered &c. by his master &c.

Justice &c. may issue summons or warrant to bring up the offender,

and, on proof that such artificer &c. has committed the alleged offence,

X.—And it is further enacted that if any artificer, workman, labourer or servant shall wilfully, maliciously or by gross negligence, destroy, spoil or injure any work, materials or goods, whereon he shall be employed or where-with he shall be entrusted by his master or employer, or if he shall fraudulently purloin, embezzle, secrete, sell, pawn, exchange, withhold or detain any materials, work, goods or property, delivered or entrusted to him or about which he shall have been employed by his master or employer, it shall be lawful for such Justice or Magistrate as aforesaid upon complaint by or on behalf of the master or employer, to issue his summons or warrant for bringing before him, or any other such Justice or Magistrate, the alleged offender, and in case, it shall be proved, to the satisfaction of such

Justice shall commit the offender to gaol to hard labour for not more than twelve months,

and order offender to make restitution or compensation,

and if offender shall not before expiration of term of imprisonment have made restitution or compensation,

Justice &c. shall on complaint issue his warrant to the gaoler to bring up offender,

and on proof that offender has not made restitution or compensation, Justice shall commit offender for a further term not exceeding twelve months.

Justice or Magistrate, that such artificer, workman, labourer or servant has committed the alleged offence such Justice or Magistrate may, and is hereby required to commit such offender to the common gaol or House of Correction, there to be kept to hard labour for any period of time not exceeding twelve months, and to order such offender to make restitution in specie or a compensation in value to the master or employer, such value to be fixed and specified by such Justice or Magistrate, and in case such offender shall not, before the expiration of the first mentioned term of imprisonment, make restitution or compensation as aforesaid, then and in that case it shall be lawful for any Justice or Magistrate having local jurisdiction over the prison wherein such offender shall be imprisoned, on complaint of the party entitled to such restitution or compensation, to issue his warrant to the gaoler of such prison to require him to bring such offender before him, or any other such Justice or Magistrate, and in case it shall be proved to the satisfaction of such Justice or Magistrate, that such offender has not made such restitution or compensation as aforesaid, it shall be lawful for such Justice or Magistrate, and he is hereby required to order, either by endorsement on the original order a warrant for the commitment of such offender or warrant of commitment to commit such said offender for a further term, upon and after the expiration of the said original term not exceeding twelve months and with or without hard labour.

Words contract &c. to be construed remediarily and to extend to

XI.—And it is hereby further enacted that the words, contract, agreement, employment, obli-

contracts, &c. by deed or writing or verbal, or dependant on, or proved by the usage of trade or acts of the

parties and whatever kind the work, &c. may be to which they relate, and whether materials are found by master or not, and whether contract be for a term, &c. or otherwise.

If goods, &c. not exceeding 5000 rupees in value are wrongfully taken, detained or withheld from the owner, or person entitled to the present possession thereof and person entitled shall carry on business, &c. in Calcutta

any Justice, &c.

may, on complaint of owner, &c.

issue summons or warrant to bring up the party complained against,

and, on proof that the party complaining is the true owner thereof, &c.

and that the goods, &c. have been wrongfully taken, &c. by the party complained against, &c.

gation and other words of similar import within this Act shall be construed remidiarily and to extend to all contracts, agreements, employment and obligations whatever, whether by deed, or written or verbal or dependant on or proved by the usage of trade or by the acts of the parties, and of whatsoever nature or kind the work, employment, duty or service may be to which the same relate, and whether the materials (if any) for such work or service are found or supplied by the master or employer, or not, and whether such contract be for a term certain or for specified work, or otherwise.

XII.—And it is hereby further enacted that whenever any goods or chattels not exceeding in value rupees 5,000 shall be or alleged to be wrongfully taken, detained or withheld from the true owner or other person entitled to the present possession thereof, and such owner or other person shall carry on business, be, or reside within the town of Calcutta, it shall be lawful for any Justice of the said town of Calcutta, or for any Magistrate of any zillah, district or place where the party complained against shall be or reside, on complaint by or on behalf of such true owner or other person, to issue his summons or warrant, for bringing before him or any other such Justice or Magistrate the said party complained against, and in case it shall be proved in satisfaction of such Justice or Magistrate that the party complaining is the true owner of or is entitled to the present possession of such goods and chattels, and that the same have been wrongfully taken or are wrongfully detained or withheld by the party complained against, or by his command or authority, or

Justice shall assess value of goods and

order delivery or payment of value,

and on making such order Justice at request of complainant,

shall make out warrant for the execution of such order by arrest and commitment of defendant,

or seizure of goods, &c.

that he has power over the same to deliver the same, it shall be lawful for such Justice or Magistrate, and he is hereby required to enquire into, and assess the value thereof, and to make order either for the immediate delivery thereof or for payment of the value thereof to the party entitled to the same, and upon the making of every such order as aforesaid, or at any time thereafter, the said Justice or Magistrate shall, if thereunto requested by or on behalf of the complainant, make out his warrant for the execution of such order, either by the arrest or commitment of the party against whom the said order shall be made, until he shall have obeyed the said order, or for the seizure of the said goods and chattels, ordered to be delivered with an alternative clause for the levy of the value assessed by seizure and sale of the proper goods and chattels of the offender.

R. C. LEPAGE,

Master.

II. BURKINYOUNG,

Past Master.

BB.

TO THE HONORABLE T. C. ROBERTSON, PRESIDENT OF THE COUNCIL OF INDIA IN COUNCIL.

The Memorial of the Master, Warpers and Members of the Calcutta Trade Association.

RESPECTFULLY SHEWETH,

That your Memorialists as Tradesmen and persons engaged in business in Calcutta have hitherto suffered most serious loss and injury by the want of a Law entitling them to claim and receive interest on their book and other simple contract debts.

That, in order to protect themselves against the unlimited extent of credit to which your Memorialists are at present compelled to submit, chiefly by the difficulty of obtaining payment of their just debts from persons residing in the Mofussil and other distant places, your Memorialists have been in the habit, at the expiration of three months credit, of charging Interest on their Book Debts; but that such Interest is not recoverable in the Supreme Court or Military Courts of Requests and very seldom allowed in the Court of Commissioners for the recovery of small debts.

That as your Memorialists cannot enforce the payment of such charge of Interest, it almost daily happens that parties indebted to your Memorialists and residing at a distance from Calcutta, (after taking an unlimited credit, not unfrequently extending over a period of many years), refuse at last to pay such Interest, although they may have tacitly admitted the Justice of the charge by never objecting to it in answer to any one of the numerous applications made to them for payment; thus in the absence of a specific agreement in writing, availing themselves of the strict letter of the Law to deprive their creditors of the only compensation they can give them for withholding the payment of their debts.

That another evil flows from the system of long credit which your Memorialists are obliged to give, and from the present illegality of the charge of Interest on simple contract debts, which is exceedingly injurious to the public at large, in as much as Tradesmen and others engaged in business in Calcutta cannot afford to sell at the same low rates as they otherwise could, if a system of ready money payments existed, or if, in its absence, some compensation or security against excessive credits were by law provided for them.

That your Memorialists respectfully submit that one of the principal objects of the Trade Association, on its first institution, was this—
 “to encourage the adoption in this country of the system of ready
 “money payments practised in all other parts of the world, and
 “which enables the Tradesmen to sell at lower rates than those of
 “Calcutta can afford to do, from the prevalence of the ruinous
 “system of indiscriminate credit which had existed here for many

" years, to the injury of the Tradesman and the manifest disadvantage of the Public."

That in pursuing this object, your Memorialists have for some time past resorted to the practice of giving notice to parties indebted to them that, at the expiration of three months credit, Interest would be charged on their debts at the rate of ten per cent. per annum ; but that such Interest not being recoverable, as before stated, your Memorialists have not been so successful as they had hoped, in their endeavours to attain an object so beneficial in its results to themselves and to the Public.

That a remedy for the evils of which they complain, as injurious both to themselves and to the public, your Memorialists respectfully suggest that an enactment legalizing the charge of a moderate rate of Interest on Book Debts would be a certain and effectual means of introducing into this country a system of ready money payments that would protect the Trader from the risks and losses which he at present incurs, and by insuring to him an earlier return for his outlay, enable him considerably to reduce the prices of his goods.

That the utility of such an enactment is strongly evidenced by the fact that, even in England, where a system of ready money payments had ever prevailed it was found necessary, within the last few years, only, to pass an Act of Parliament allowing Interest to be claimed in all cases on simple contract debts upon giving to the debtor a written notice of demand claiming Interest.

That your Memorialist refer to the Act 3rd & 4th William IV. chapter 42 section 28 by which " It is enacted that upon all debts " or sums certain payable at a certain time or otherwise, the Jury on " the trial of any issue, or on any inquisition of damages may, if they " shall think fit, allow Interest to the creditor at a rate not exceeding " the current rate of Interest from the time when such Debts or sums " certain were payable, if such Debts or sums be payable by virtue " of some written Instrument at a certain time ; or if payable other- " wise then from the time when demand of payment shall have been " made in writing, so as such demand shall give notice to the debtor " that Interest will be claimed from the date of such demand, until

"the term of payment; provided that Interest shall be payable in all cases in which it is now payable by Law."

That your Memorialists feel assured that a great benefit would be conferred on the community by the Enactment in this Country of that part of the 28th section of the said Act 3rd and 4th William IV. Chapter 42; giving to the Judges of every Court, (in the absence of a Jury,) the power of awarding to creditors Interest at the current rate in Calcutta, in all cases where proof shall have been made of a written demand of payment and notice given to the debtor that Interest would be claimed from the date of such demand until the time of payment.

Your Memorialists therefore humbly pray that your honor in council will take into your consideration the subject matter of this Memorial; and that you will be pleased to sanction the introduction into this country of so much of the 28th section of the said Act 3rd & 4th William IV. chapter 42; as will secure your Memorialists from the serious risk and losses to which they are at present subject, by enabling creditors generally to claim and recover a fixed rate of Interest on all debts upon proof made of a written demand of payment and notice that Interest will be charged from the date of such demand until the term of payment.

And your Memorialists shall ever pray, &c.

W. TURNER,

Calcutta, 6th Sept. 1839.

Master, Trade Association

—
(Act. No. XXXII. of 1839.)

An Act concerning the allowance of Interest in certain cases.

1. Whereas it is expedient to extend to the territories under the Government of the East India Company as well as within the Jurisdiction of Her Majesty's Courts as elsewhere, the provisions of the Statute 3rd and 4th William IV, Chapter 42, Section 28, concerning the allowance of interest in certain cases:

It is therefore, hereby enacted, that upon all debts or sums certain payable at a certain time or otherwise the Court before which such

debts or sums may be recovered, may, if it shall think fit, allow interest to the creditor at a rate not exceeding the current rate of Interest from the time when such Debts or sums certain were payable, if such Debts or sums be payable by virtue of some written Instrument at a certain time, or if payable otherwise, then from the time when demand of payment shall have been made in writing, so as such demand shall give notice to the Debtor that Interest will be claimed from the date of such demand until the term of payment ; provided that interest shall be payable in all cases in which it is now payable by law.

J. P. GRANT,
Offg. Secy. to the Govt. of India.

CC.

Alphabetical list of subjects considered by the Committees of the Calcutta Trade Association, and the date when brought under discussion.

- Acceptances due in holidays. January 1844.
- Act.—Black. November 1849.—December 1849.
- Act.—Copy Right. April 1847—June 1847.
- Act.—Limitations of Small Debts. 29th—October 1842.
- Agents.—Mofussil. 11th September 1830.—11th March 1849.
- Agents.—Petty Court. 18th September 1830.
- Affidavits.—Police. January 1844.
- Alexander and Co.—Failure of. 13th December 1832.
- Allipore Civil Courts. January 1844.
- Animals,—Cruelty to. January 1847.
- Annuity and Life Insurance (Trade) 23rd May 1835.
- Apprenticeship Law. 25th October 1834.—January 1844.
- Arbitration.—Committee of. 15th November 1834.—13th June 1835.
—19th September 35.—6th January 1838.
- Arrest under mesne process. January 1844.

Arrivals and Departures, Committee. 13th November 1830.

Arrivals.—Periodical list of. 18th September 1830.

Arrivals.—Post Office list of. 18th Sept. 1830.—11th March 1837.

Assam Tea Company. 25th May 1839.

Association.—Accommodation of. 17th December 1831.—22nd December 1831.—17th January 1832.—1st February 1832.

Association.—Transactions of not to publish. 12th July 1834.

Association.—Patronage of. 23rd August 1830.—4th Sept. 1830.

Association.—Rules of. 20th June 1835.—12th December 1835.—May 1849.—July 1850.

Association.—Circular letters explanatory of. 23rd August 1830.—18th September 1830.

Association.—Remodelling constitution of. 11th December 1830.—January 1844.

Association.—Grades of Membership of. 5th February 1831.—26th February 1831.—10th December 1831.—24th March 1832.

Association.—Insolvent Members of. 5th July 1834.

Association.—John Bull attacks on. 6th Aug. 1831.—8th Oct. 1831.

Association.—Bombay, Trade. January 1844.—December 1848.

Association.—Object third Violated. 12th November 1831.

Association to diminish applications for public and private charity. 6th November 1830.

Association.—The Trade a corporate body. 29th November 1834.—10th January 1835.

Attorneys.—Fees of. 29th February 1840.—14th March 1840.—4th April 1840.—23rd April 1842.

Bailiffs. Sheriffs. 17th May 1834.

Bank, Union.—Cash Credits. 11th January 1850.

Bank, Union.—Notes. 6th February 1834.

Bank Savings. 13th November 1830.—2nd April 1831.—14th January 1831.—24th March 1832.—31st March 1832.

Banghy. 7th April 1832.—21st April 1832.—28th April 1832.—2nd June 1832.—11th Aug. 1832.—23rd May 1835.—Aug. 1849.

Bazaar, New. 21st June 1834.—5th July 1834.—9th Aug. 1834.—10th Sept. 1834.—13th Sept. 1834.—25th Oct. 1834.—24th Jan.

Bills of Exchange protested.—11th January 1840.

British Indian Society, London. 29th February 1840.

Box, Circulating to members. 16th February 1833.

Business.—Terms of. 1st November 1830.

Calcutta, Library—To purchase. 10th December 1831.—17th December 1831.—25th February 1832.

Calcutta Lyceum. January 1847.

Casks, Oil, tightening. 16th November 1839.

Cesspools. 25th April 1835.

C System of. 14th February 1835.

Chamber of Commerce. 22nd March 1834.—18th June 1836.

Circulars Free Postage. 20th October 1830.—9th October 1830.

Civil Cases. Trial by Jury. 4th July 1835.—20th April.—4th June 1836.

Club.—Trade. 2nd August 1834.

Commercial and Shipping Gazette patronised. June 1850.

Committee.—corresponding London. 9th February 1831.—5th March 1831—1st October 1836.—10th February 1838.

Committee, Sub. 12th March 1831.

Committee.—Fines for non-attendance on. 19th November 1831.

Company's Papers. 17th July 1841.—16th October 1841.—9th July 1842.—29th October 1842.

Company's Servants quitting India. April 1849.

Company's.—River Insurance, 13th July 1833.—June 1849.

Company's.—River and Land Transit, June 1849.

Company's.—India General Steam Navigation. July 1847.

Cossid Banghy, 27th October 1838.—11th May 1839.

Coolies. Robberies. 27th April 1839.

Constitution of the Association remodeling Dec. 1830.—Jan. 1844.

Costs in opposing Insolvents. 20th November 1830.—11th December 1830.—18th Dec. 1830.—21st Jan. 1832.—30th Sept. 1837.

Court, Supreme, Fees of. 23rd April 1842.

Court, Supreme.—Practice improvement of Act. January 1847.

Court, Supreme.—Officers not to Trade. 2nd January 1841.

Court, Supreme.—Writs. January 1845.

Court of Quarter Sessions. 8th August 1835.

Courts of Award.—Military. 7th August 1830.—4th July 1835.—3rd October 1835.—9th October 1841.—14th October 1841.—16th October 1841.—13th Nov. 1841.—20th Nov. 1841.—4th Dec. 1841.—11th Dec. 1841.—15th Jan. 1842.—29th Jan. 1842.

Court of Requests. 1st Sept. 1832.—14th March 13th and 27th June and 11th July 1835.—11th Feb. 3rd 10th 17th and 24th Nov. and 8th Dec. 1838.—9th May 1840.—January 1844.—June 1845.—April and June 1847.—March, April, Sept. and Dec. 1848.—May, July, Sept. and October 1849.

Conservancy. 8th March and 5th and 12th April 1834.—29th April, 3d June and 1st July 1837.—18th April and 27th June 1840.—12th April 1841.—Jany. Oct. and Nov. 1847.—May, June, Aug. and Sept. 1849.—March, Apl. May and June 1850.

Currency.—Change of. 5th December 1835.—8th August 1840.—22nd August 1840.—29th August 1840.—16th October 1841.—23rd April 1842.

Dinner.—Public. 5th July 1832.—25th January 1834.

Dinner.—Monthly. 2nd August 1834.

Deaths.—Removal by. 13th September 1834.

Dak Travellers. January 1844.

Dargeeling Club House. 7th July 1838.—28th July 1838.

Debts of Military Officers. 9th February 1839.

Debts.—Payment of, Trust for. 19th September 1835.—3rd October 1835.—May 1849.

Dividends of Insolvents.—Unclaimed. 16th May 1840.—23rd May 1840.—30th May 1840.—20th June 1840.—11th July 1840.—15th January 1842.

Dividend.—Persons, Estates of. 26th February 1837.

Drafts of Military Officers, 20th July 1839.

Exports.—Daily. September 1850.

Entrance Fee. 6th April 1839.

Estates of Persons. 25th February 1837..

Estates of Insolvents.—Schedules of. 13th December 1834.

Ferries. 14th February 1835.

Flax.—Cultivation of. 13th April 1839.—16th November 1839.

Fund.—Permanent. 22nd December 1831.

Fund.—Steam. 26th June 1833.—13th July 1833.—30th September 1837.—January 1844.

Fund.—Widows. 13th November 1830.—2nd April 1831.—14th May 1831.—24th March 1832.—31st March 1832.

Fund.—Current. 22nd December 1831.—11th February 1832.—17th February 1832.

Ghauts. 12th July 1834.—14th February 1835.

Ghaut.—Jackson's, nuisance of. 25th April 1835.

Government Paper.—Interest on. 1st February 1840.—22nd Aug. 1840.—29th August 1840.—1st October 1840.—15th January 1842.—23rd April 1842.

Governor General.—Address to. 7th Feb. 1835.—14th Feb. 1835.

Holidays.—Native. 2nd March 1839.—6th April 1839.—October 1849.—November 1849.

Hemp.—Plantainleaf. 29th February 1840.

Hospital.—Lying in. 21st March 1841.

Imports.—Daily. September 1850.

Indigo Regulations. 29th July 1835.

Inland Steam Boats. 4th March 1837.—1st July 1837.—4th November 1837.—18th November 1837.—14th July 1838.—21st July 1838.—4th August 1838.—12th April 1841.—17th July 1841.—29th October 1842.

Isinglass.—Manufacture of. 29th October 1842.

Insurance Premium. January 1844.

India.—Oil Yielding plants of. 20th August 1836.

Jury.—Qualifications for. 3rd October 1835.

Jury.—Petty. 25th March 1837.

Library of Reading Rooms. 3rd March 1832—10th March 1832.—24th March 1832.—7th April 1832.—8th September 1832.—9th August 1834.—30th August 1834.—11th July, 1835.—14th November 1835.—7th January 1837.—13th May 1837.—16th September 1837.—10th March 1838.—27th October 1838.—9th May 1838.

Laudable Society.—Funds of. 19th January 1833.

Limitations.—Statute of. 17th July 1841.

Master and Workmen.—Law of. January 1847.—April 1847.

Mofussil.—Remittances from. 9th Nov. 1833.—21st March 1835.

Mesmeric Hospital. January 1848.

Metcalfe, Sir Charles.—Address to. 7th February. 1835.—14th February 1835.

Nuisances. 29th October 1842.

Native Possessions. October 1849.

President, to be designated Master. 5th February 1831.

Post Office Reforms. 7th April 1832.—21st April 1832.—28th April 1832.—2nd June.—1832.—1st August 1832.—23rd May 1835.—August 1849.—October 1849.—July 1850.—Aug. 1850. September 1850.

Parliament.—Petitions to. 7th February 1835.—14th Feb. 1835.—9th April 1835.—9th April 1836.—4th June 1836.

Police.—River. 14th February 1835.

Pyce Shops. 19th March 1836.—26th March 1836.—9th April 1836.—30th April 1836.—21st May 1836.—24th September 1836.—26th August 1836.—January 1844.

Pie pieces.—Coinage of. 1st February 1840.

Police. 23rd April 1842.—January 1847.—July 1849.

Partnership.—Limited responsibility of. June and July 1849.

Post Master, Mofussil, Opening letters. April 1849.

Railroad.—Burdwan. 4th July 1850.

Railroads in India.—Introduction of. January 1845.

Silver Standish to Secretary. September 1847.

Semaphores.—Utility of. 22nd February 1834.

Sales.—Sheriffs. 16th October 1841.—15th January 1842. 29th October 1842.—January 1844.

Salt Monopoly. 10th December 1836.

Statistics. 1st July 1837.

Servants.—Registry of. 30th March 1833.

Turton, Sir T.—Defalcations. September 1848.—November 1848.—

February 1849.—April 1849.—May, October, December 1849.—
January, February 1850.

Tea.—Cultivation of. 13th April 1839.

Trade List. 18th May 1839.—8th June 1839.—27th June 1839.—
2nd November 1839.—27th June 1840.—1st August 1840.—8th
August 1840.

Vagrancy of Calcutta. 12th July 1834.—20th June 1835.

Weights and Measures. 30th April 1836.

Workmen.—Law of. January 1847.—April 1847.

Writs. January 1845.

D. D.

List of persons who have been, and who now are Members of the Association.

Names.	Date when elected.	Date when resigned or expunged.
Alexander & Co.	July, 1830.	
Allan, G.	July, 1830.	26th November 1830.
Aubray, J. of Currie and Co.	3rd March, 1832.	Dead.
Aubrey, R.	14th March 1835.	August 1835.
Allan, R. W.	3rd August 1833.	11th November 1848.
Atkinson, P.	12th April 1834.	August 1835.
Abadie L.	4th January 1840.	30th May 1840.
Augier, J.	11th February 1843.	April 1844.
Allardice, T.	July 1830.	15th September 1838.
Allardice, R.	5th May 1849.	
Burkinyoung, F. H.	July 1830.	Proceeded to Eu. Nov. 1836.
Burkinyoung, H.	3rd December 1836.	
Burn & Co.	July 1830.	23rd October 1830.
Begbie, T.	July 1830.	Dead.
Bathgate & Co.	July 1830.	Struck off 4th Oct. 1830.
Brierly, J.	22nd January 1831.	Struck off 5th May 1231.
Balmano, Mrs.	July 1830.	Dead.
Bryant,	December 1842.	May 1843.
Beardsmore, J.	6th December 1830.	10th September 1831.
Barrow, H.	22d February 1835.	Expelled 11th July 1835.
Bourkey, L. F.	20th January 1838.	Struck off 13th June 1840.
Ballin, S.	27th October 1838.	27th April 1839.
Bagshaw, R. J.	29th June 1839.	30th May 1840.
Bright, G. W.	29th June 1839.	28th August 1841.
Brownfield, C.	13th July 1839.	31st October 1840.
Brown, H.	24th April 1840.	28th November 1840.
Black, Thomas,.....	23rd July 1836.	11th January 1840.
Bruce, A. R.	16th January 1847.	27th November 1847.
Brownlow, C.	9th January 1836.	12th August 1837.
Beedle, H.	17th August 1850.	Resigned May 1851.
Brown, F. W.	February 1843.	
Cairn, J.	July 1830.	September 1830.
Cooper, L. for T. Hunter	14th May 1831.	Dead.
Campbell, R.	8th September 1832.	
Carbery, R. J.	28th January 1837.	
Campbell, R. J. R.	22nd June 1839.	Struck off 8th August 1840.
Campbell,	14th Sept. "	August 1842.
Cliff, J.	29th June "	31st July 1841.
Chaunce, J.	24th April 1843.	January 1846.
Cameron, J.	29th March 1845.	Struck off 30th Nov. 1850
Currie, J.	30th April 1836.	4th September 1841.
Cuthbertson, J.	23rd June 1849.	

Names.	Date when elected.	Date when resigned or expunged.
Cook and Co.	14th May 1851.	
Crutten and Co.	July 1830.	
Dykes, R.	" "	Proceeded home 1834.
Dwyer, J. R.	" "	Struck off 13th Aug. 1831.
Demello, Paul,	" "	Septembar 1830.
Delmar, P.	12th April 1834.	27th October 1838.
D'Rozario, P. S.	December 1830.	
D'Rozario, P. S.	3rd Sept. 1842.	
Dwarkanauth Tagore,	4th July 1835.	3rd February 1838.
Dapuis,	11th Nov. 1837.	Expelled 14th July 1838.
Downes, G.	11th February 1843	26th May 1849.
Davis, W. B.	29th April 1848.	October 1849.
Dilthy, L.	July 1830.	Dead January 1834.
Eastman, W.	27th Ju'y 1839.	15th January 1842.
Fleury, J. J.	July 1830.	January 1833.
Frith,	March 1833.	July 1833.
Frith, R.	6th July 1839.	16th August 1845.
Fergusson and Co.	July 1830.	
Fountain, J.	2nd April 1831.	14th December 1833.
Fergusson, F. T.	February 1834.	Dead.
Fraser, W. T.	5th October 1839.	28th March 1840.
Farquhar, W.	21st April 1849.	9th November 1850.
Forbes, F.	" "	23rd March 1850.
Gibbon, W. F.	July 1830. "	3rd November 1838.
Gordon, J.	" "	
Grant, Norman,	" "	5th December 1840.
Gray, J.	" "	
Greenaway, W.	3rd March 1832.	19th January 1839.
Guest, A.	14th June 1834.	Struck off 20th April 1839.
Gopaul Mullick,	15th August 1835.	4th August 1838.
Goodeve,	7th April 1838.	Proceeded to England 13th April 1839.
Gilbert, W. H.	27 November 1841.	23rd April 1842.
Greenfield, H.	22nd August 1846.	3rd June 1848.
Havell, J.	April 1831.	Struck off July 1831.
Harrowell, T.	July 1830.	Dead 8th October 1831.
Healy, J.	" "	Dead 8th October 1831.
Hastie John,	" "	July 1839.
Hadow, C. S.	" "	13th April 1833.
Higgs, T.	" "	September 1830.
Harrowell, J.	11th August 1832.	October 1836.
Holmes, J.	13th April 1833.	3rd June 1848.
Homfray, R. S.	14th Dec. 1833.	8th March 1834.
Hamerton, W. H.	12th April 1834.	3rd March 1838.
Hart, F. H.	27th July 1839.	9th January 1841
Holway, W.	29th October 1842.	March 1846.
Hewick, J. A.	24th April 1843.	December 1845.
Hider, C. L.	" "	April 1845.

Names.	Date when elected.	Date when resigned or expunged.
Hay, G. C.	15th June 1850.	
Hill, Js.	8th October 1836.	9th March 1839.
Hamilton and Co.	July 1830.	
Harrison, J. F.	29th June 1850.	October 1851.
Jessop, G.	July 1830.	February 1837.
Jacobs, Js.	" 11th Feb. 1843.	Struck off January 1839.
Jephson, G.	15th June 1850.	December 1844.
Jerdan, G. C.	3rd August 1833.	1st February 1840.
Kemp, H. C.	22nd Feb. 1834.	Dead 29th October 1836.
Kyd, Js.	13th August 1831.	10th March 1832.
Lincoln, J. F.	16th Dec. 1837.	
Lepage, R. C.	July 1830.	16th October 1830.
Llewelyn, J.	"	
Lawrie, A.	June 1833.	January 1841.
Lattey, R.	11th January 1834.	May 1834.
Leishman, R.	August 1839.	June 1842.
Lazarus, B. W.	4th Nov. 1837.	February 1846.
Lattey, J. S.	21st March 1840.	16th January 1841.
Llewelyn, W.	October 1836.	Proceeded home, 2d Fy. 1839.
Lamb, J.	10th Oct. 1835.	July 1839.
Lattey, R. J.	14th March 1835.	Proceeded home 14th October 1843.
Lattey, A. P.	14th Oct. 1843.	February 1847.
Lomaistre, T. H.	2nd Jan. 1847.	6th May 1848.
Leslie, A.	19th June "	27th November 1848.
Lattey, Brothers.	February "	
Law, W. T.	16th June 1849.	
Mackintosh & Co.	July 1830.	
Macfarlane, I.	"	30th April 1836.
Manton and Co.	Nov. 1847.	
MacIntosh, H.	March 1851.	
Mills, D.	July 1830.	
McCulloch, R.	"	Dead 13th September 1834.
Monteith, Js.	30th October 1830.	Struck off 8th Oct. 1831.
Monteith, D.	2nd Feb. 1839.	
Martindell, H.	13th Dec. 1834.	
Moore, J.	11th May 1839.	2nd July 1836.
Mackenzie, Lyall & Co.	July 1830.	Dead 5th October 1839.
McKilligan, J. P.	29th June 1839.	14th January '43.
McKellar, H.	July 1830.	Departed 22nd Dec. '32.
McKellar, T.		Dead 28th April '38.
Mendes.	29th June 1839.	January '40.
Muller, J.	4th January 1840.	
McIntosh, A.	4th Sept. 1841.	September '44.
Munt, H. H.	24th April 1843.	April '44.
Martin, C.	5th April 1845.	5th June '47.
McCabe,	18th Dec. 1847.	28th December '47.

Names.	Date when elected.	Date when resigned or expunged.
Mackenzie, M.	20th May 1848.	8th September '49.
Myers, M.	12th January 1833.	Dead.
Nuthall, D.	July 1830.	14th March '35.
Nisbitt,	8th April 1848.	15th July '48.
Newton, W.	13th January 1849.	April '50.
Ostell, T.	July 1830.	16th December '37.
Owen, W.	8th March 1834.	June '34.
Parker, J. N.	July 1830.	31st December '36.
Pittar, P.	February 1840.	Departed 10th Dec. '42.
Pittar, C. J.	28th Feb. 1835.	
Pritchard, G.	July 1830.	2nd October '30.
Payne, T.	12th January 1833.	
Preston, W.	9th March 1839.	16th July '42.
Palmer Peter,	26th June 1833.	Struck off 9th April '36.
Palmer, T.	12th Oct. "	November '38.
Parkor, A. D.	14th Dec. "	Proceeded home.
Patten, J.	12th April 1834.	26th October '39.
Prosono Coomar Tagore	3rd February 1838.	23rd May '39.
Page, G.	July 1830.	Dead September '35.
Pitts, John,	6th March 1847.	August '47.
Prosser, F.	23rd June 1849.	March '31.
Parbury, G.	July 1830.	10th September '31.
Pittar, A.	" "	Proceeded home 1st Oct. '35.
Rankon and Co.		16th June '38.
Richards, B.	31st March 1832.	28th June '34.
Rodda, R. B.	9th January 1841.	16th June '41.
Rushton, W. for Payne,	9th February 1833.	9th June '33.
Robinson, W. W.	9th March 1833.	December '45.
Rogers, A.	July 1830.	Proceeded home 1st Oct. '36.
Roberts, W.	Augt. 1846.	
Rushton, W.	22nd Feb. 1834.	20th August '36.
Rogers, G.	1830.	April '35.
Ramlochun Pyne,	6th June 1835.	25th July '40.
Remfry, G. F.	10th December.	
Rowe, J.	17th Feb. 1838.	26th June '41.
Ross, R.	29th Feb. 1840.	18th April '40.
Riddle, J.	11th Dec. 1841.	February '45.
Rose, A.	24th April 1843.	5th June '47.
Rose, W.	25th March 1848.	December '49.
Rozario, W. C.	18th Sept. 1830.	Struck off 13th July '33.
Smith Samuel.	July 1830.	
Shearwood, G.	" "	18th June '36.
Simpson & Co.	" "	7th " '34.
Spence, J.	" "	
Spink, W.	Nov. 1846.	
Simpson, Jones,	July 1830.	16th October '30.
Shepherd & Co.		
Stewart, J. G.	20th April 1839.	September '44.

Names.	Date when elected.	Date when resigned or expunged.
Stewart, W.	14th July 1832.	14th June '31.
Schnieder, W. F.	22nd Feb. 1834.	13th April '39.
Scott, W.	2nd Nov. 1839.	Dead 7th March '40.
Smith, H.	4th January 1840.	14th January '43.
Smith, G. H.	17th October 1840.	May '42.
Statham, H. G.	27th Sept. 1845.	2nd January '47.
Sanders, T. P.	9th June 1849.	24th November 1849.
Sloley, R.	28th January 1843.	August '51.
Scott, W. F.	1830.	December '42.
Seanor,	April 1835.	Dead 21st January '37.
Twentyman, W. H.	July 1830.	18th November '37.
Twentyman, W. J.	18th Nov. 1837.	December '41.
Thomson, B. S.	July 1830.	3rd April '41.
Thacker, W.	" 1830.	10th September '31.
Turner, W.	July 1830.	Returned to Europe '40.
Turner, W.	May 1847.	
Thompson, A.	22nd Feb. 1834.	19th September '35.
Thompson, T. E.	16th January 1836.	Dead.
Vos, I. M.	21st April 1838.	23rd April '42.
Watson, and Co.	March 1847.	
Watkins, T.	July 1830.	Struck off 9th July '36.
Wallis, W.	July 1830.	16th October '30.
Wilson, D.	2nd July 1836.	
Woolaston, G.	23rd July 1836.	24th February '38.
Wright, J.	6th Sept. 1839.	10th April '41.
Woolaston, H.	18th April 1840.	December '42.
Winser, Js.	1st October 1842.	October '45.
Ward, J.	24th April 1843.	September '44.
Watson, W.	13th Dec. 1847.	
Wilkie, G. F.	27th January 1849.	13th October '49.
Young, L.	13th Augst 1836.	Expelled 14th July '38.

E. E.

Extract of the Receipts and Disbursements, on account of the Calcutta Trade Association, from July 1830 to Dec. 1850.

DISBURSEMENTS.

Year.	Secretary.	Assistant Secretary.	kra Registrar.	Establish- ment.	Council.	Printing.	News Papers.	Stationery.	Furniture.	
July to Dec.										
1830	0	0	470	0	46	10	6	288	0	
1831.	0	0	1,200	0	270	0	0	428	13	
1832	0	0	1,400	0	860	0	0	285	0	
1833	0	0	1,008	0	312	13	3	295	0	
1834	0	0	1,008	0	278	0	0	271	0	
1835	600	0	1,008	0	166	1	3	112	0	
					435	12	0	343	11	
					0	0	0	181	8	
Siaca Rs.	600	0	4,246	0	1,130	0	0	207	8	
or Co.'s Rupees	640	0	4,529	1	1,205	5	4	608	0	
1836	1,333	5	4	1,668	3	2	648	8	6	
1837	1,200	0	0	533	6	1	1,391	4	3	
1838	0	0	0	419	0	0	85	5	4	
1839	0	0	0	1,276	8	0	80	0	0	
1840	600	0	0	1,005	0	0	177	0	0	
1841	600	0	0	528	0	0	85	5	4	
1842	600	0	0	518	0	0	1,353	0	0	
1843	600	0	0	425	15	10	170	8	0	
1844	600	0	0	356	0	0	85	5	4	
1845	600	0	0	336	0	0	303	5	4	
1846	600	0	0	336	0	0	298	0	0	
1847.	600	0	0	332	0	0	151	0	0	
1848.	600	0	0	362	12	3	183	3	0	
1849.	700.	0	0	476	0	0	276	0	0	
1850	600	0	0	331	0	0	0	143	0	
				405	5	6	0	50	0	
				336	1	6	0	175	12	
				0	0	0	0	10	3	
				0	0	0	0	127	0	
Total, ...	9,723	5	4	4,529	1	2,1205	5	4	9,407	6
							4	1,645	13	10
								6,441	0	7
								3,983	11	11
								972	0	8
								3,591	4	3

DISBURSEMENTS.

Year.	Repts. and Alt. Actions.	Postage.	Rent.	Reports.	Petty Charges.	Books.	Law Charges.	Refunds.	Lustros.
July to Dec.									
1830	0 10 0	0 6 6	0 0 0	0 0 0	0 3 0	0 0 0	0 0 0	0 0 0	0 0 0
1831	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
1832	0 14 6	13 1 6	1,320 0	0 0 0	120 0	60 3 2	374 10 0	418 0 0	467 14 0
1833	0 4 0	0 10 0	2,040 0	0 0 0	212 12 9	111 6 3	274 0 0	0 0 0	1,000 0 0
1834	232 0	0 0 0	2,200 0	0 0 0	64 0	37 13 9	146 0 0	0 0 0	0 0 0
1835	6 5 0	0 6 0	1,900 0	0 0 0	72 0	18 6 3	153 10 0	0 0 0	0 0 0
Siaca Rs.	240 1 6	1 1 8	0 7,460 0	0 0 0	641 12 9	218 0 5	948 4 0	418 8 0	165 14 0
Co.'s Rupees	256 1 7	15 7 6	7,957 5	5 4	684 9 4	232 9 0	1,011 7 5	446 6 4	166 4 3
1836	0 0 0	10 11 5	2,160 0	0 0 0	64 0	31 4 9	87 12 8	63 5 4	0 0 0
1837	0 0 0	4 8 6	1,890 0	0 0 0	0	13 12 6	35 0 0	5 8 0	0 0 0
1838	1,084 9 6	5 14 0	1,500 0	0 0 0	80 0	165 11 9	25 0 0	68 4 3	0 0 0
1839	0 0 0	4 2 0	1,290 0	0 0 0	86 0	339 9 9	19 0 2	68 4 3	300 0 0
1840	0 0 0	0 15 0	1,290 0	0 0 0	30 14 9	165 2 2	28 4 0	0 0 0	0 0 0
1841	52 10 8	2 11 0	1,290 0	0 0 0	50 0	128 1 3	27 0 0	0 0 0	0 0 0
1842	81 2 0	0 3 0	0 0 0	0 0 0	0	7 10 0	23 8 0	0 0 0	0 0 0
1843	0 0 0	5 5 0	0 0 0	0 0 0	0	4 7 3	14 0 0	0 0 0	0 0 0
1844	0 0 0	1 4 0	0 0 0	0 0 0	0	0 12 0	14 0 0	0 0 0	0 0 0
1845	3 0 0	0 0 0	0 0 0	0 0 0	507 2	4 0 0	21 7 2	14 0 0	0 0 0
1846	0 0 0	0 0 0	0 0 0	0 0 0	550 0	0 0 0	14 10 3	10 0 0	0 0 0
1847.	0 0 0	0 0 0	0 0 0	0 0 0	685 0	0 0 0	89 3 9	10 0 0	0 0 0
1848	0 0 0	2 4 0	660 0	0 0 0	0	12 13 9	20 0 0	0 0 0	0 0 0
1849	0 0 0	5 14 3	660 0	0 0 0	0	29 7 0	10 0 0	0 0 0	0 0 0
1850	0 0 0	9 8 0	0 0 0	0 0 0	0	0 0 0	0 0 0	0 0 0	0 0 0
Total.	1,477 7 9	65 11 8	7,779 7 9	995 8 1	1,206 10 6	1,349 0 1	833 12 2	356 4 3	1,036 10 8

DISBURSEMENTS.

Year.	Advertis- ments.	kfa	Secretary's Fees and Commission.	Brea, 1st, Dinners and Refreshments.	Cash Stolen and Bills embezzled.	Donation to Calcutta Lyceum.	Sundries.	Yearly Total.	Rupees.			
									July to Dec.	or Co.'s Rupees.		
1830	0	0	6	0	0	0	0	0	875	4 0		
1831	0	0	0	0	0	0	0	0	2,888	5 0		
1832	0	0	0	0	0	0	0	0	6,808	13 8		
1833	0	0	0	0	0	0	0	0	6,488	12 0		
1834	38	8	0	0	0	0	0	0	4,699	12 9		
1835	49	3	3	0	0	0	0	0	3,860	12 9		
Stica Rs.	87	11	3	0	0	0	0	0	24,109	10 8		
or Co.'s Rupees.	93	8	10	0	0	0	0	0	25,716	15 8		
1836	0	0	0	21	5	4	0	0	5,112	12 7		
1837	0	0	0	247	6	0	0	0	4,430	12 0		
1838	0	0	0	168	14	5	0	0	5,901	14 5		
1839	0	0	0	0	0	0	0	0	5,603	6 0		
1840	0	0	0	0	0	0	0	0	3,601	8 4		
1841	0	0	0	0	0	0	0	0	3,416	7 2		
1842	15	15	3	0	70	0	0	0	1,846	4 11		
1843	0	0	0	0	424	8	0	0	2,237	1 7		
1844	0	0	0	0	0	0	0	0	1,433	6 0		
1845	0	0	0	0	39	5	0	1,000	2,947	10 7		
1846	0	0	0	0	0	0	0	0	2,100	4 0		
1847	8	5	8	0	0	47	8	0	67	15 2		
1848	0	0	0	131	0	0	0	0	3,114	0 6		
1849	3	0	0	0	0	0	0	0	1,667	14 9		
1850	3	1	3	0	0	0	0	0	1,985	2 3		
Total, ...	121	8	7	568	9	9	802	1	0	347	8 0	
										1,000	0 0	
										74	6 11	
											73	146 11
											73	15

